

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

919 CIVIL APPLICATION NO. 6729 OF 2013

IN

WRIT PETITION NO. 646 OF 2010.

Bhimrao Dadarao Tambe & others

Applicants.

Versus

The State of Mah. and others

Respondents.

Mr. P.A. Kulkarni, Advocate for the applicants.

Mrs. M.A. Deshpande, A.G.P. for the State.

Mr. U.S. Kadam, Advocate for respondent No.2.

CORAM : **R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**

Dated : 08-09-2017.

PER COURT :-

1. Learned Counsel for the applicants states that respondent No.2-Bank has already sold all the properties of Jalna Sahakari Sakhar Karkhana to Tapadiya Constructions for Rs. 4,17,050/-. He submits that in the agreement entered into with the said Tapadiya Constructions by respondent No.2-Bank, it was agreed that dues of the employees of respondent No.5 would be paid by Tapadiya Constructions.

2. Learned Counsel appearing for respondent No.2-Bank states that the complete address of Tapadiya

Constructions would be furnished to the applicants' Advocate within one week from today. In view of the statement made by the learned Counsel for respondent No.2, the learned Counsel for the applicants seeks permission to withdraw this Civil Application with liberty to file a fresh Civil Application *inter alia* praying for seeking amendment to the Writ Petition by impleading Tapadiya Constructions and for seeking consequential reliefs against Tapadiya Constructions and also seeks liberty to file a separate Civil Application *inter alia* praying for interim relief against Tapadiya Constructions.

2. The request of the learned Counsel for the applicants to withdraw this Civil Application with liberty to file fresh Civil Application for seeking amendment to the Writ Petition, and for seeking interim relief against Tapadiya Construction, is granted as prayed.

3. Civil Application is disposed of in the aforesaid terms. No order as to costs.

(**SUNIL K. KOTWAL**)
JUDGE

(**R.D. DHANUKA**)
JUDGE

vdd/