

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1049 OF 2015

Shri Uddhav Keshav Yadav and ors. .. Petitioners

Vs.

Babanrao Shinde Gramin Bigarshetisa

Patsanstha Maryadit Temburni .. Respondent

Mr.S.T.Bhosale, for the Petitioners.

CORAM : M.S.KARNIK, J.

15th MARCH, 2017

P.C. :

. Heard learned Counsel for the petitioners.

2. As per the office record, notice has been duly served on respondent. None appears for respondent though duly served. On 31/03/2015, this Court (Coram : M.S.Sonak, J.) had passed the following order.

“Matter to come up as per the CMIS date which is 07/04/2015. In the meanwhile, by way of interim relief, the Written Statement of the Petitioners be taken on record upon the Petitioners depositing with the trial Court a sum of Rs.25,000/(Rupees Twenty Five Thousand Only) on or before 07/04/2015.

2. Parties to act on the basis of authenticated copy of this order.”

3. Learned Counsel for the petitioners submits that they

have deposited a sum of Rs.25,000/- before the trial Court as directed by the order dated 31/03/2015. Accordingly, written statement has already been taken on record. As no one is appearing on behalf of the respondent, I propose to dispose of the Petition in the following terms in the interest of justice. Learned Counsel for the petitioners has no objection for the amount of Rs.25,000/- which is deposited in the trial Court pursuant to the order dated 31/03/2015 is withdrawn by respondent towards cost.

4. In this view of the matter, as written statement has already been taken on record and the Co-operative Court is proceeding with the dispute, present Petition is disposed of by permitting the respondent to withdraw the amount of Rs.25,000/- deposited by the petitioners with the trial Court in compliance with the order dated 31/03/2015.

5. As the written statement of the petitioners is taken on record, the Co-operative Court may proceed with the dispute

in accordance with law.

6. Writ Petition is accordingly disposed of with no order as to costs.

(M.S.KARNIK, J.)