

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14463/2017 IN ARBA/1/2016

MANISH DHARSHIBHAI PARMAR, CONTRACTOR, AURANGABAD
VERSUS
GODAWARI MARATHAWADA IRRIGATION DEV. COR. AURANGABAD THROUGH ITS
EXE ENGINEER, MA

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Advocate for Applicant : Mr. Amol K. Gawali
Adv. for Respondent sole : Mr. B.R. Surwase

CORAM : K.K. SONAWANE, J.

DATE : 7th February , 2018.

PER COURT:

1] Heard learned counsel for the applicant and learned counsel for the respondent Godavari Marathwada Irrigation Development Corporation. Learned Counsel Shri Gawal for the applicant submits that pursuant to order passed by this court dated 29.11.2017 (Coram : N.W. Sambre,J), the applicant moved the present application with prayer that the amount of Rs.3.50 Crores attached from the bank account of respondent/Corporation be treated as part of the decretal amount and the same be directed to be deposited in FDR Account, for availing interest facility on the said amount by the applicant.

2] He further added that, thereafter, the applicant preferred another application bearing C.A. No. 14464 with a prayer to direct the respondent to deposit the entire decretal amount as determined by the learned Arbitrator in this case for seeking stay in the Arbitration appeal. Therefore, in view of subsequent applicant, the applicant do not want to proceed further in this earlier application filed on behalf of applicant bearing C.A. No. 14463 of 2017.

3] Learned counsel Shri Gawali expressed his intention to withdraw the same with liberty to proceed further for hearing of Civil Application No. 14464 of 2017 on merit.

4] In view of aforesaid submission, there is no impediment to nod in favour of applicant. Accordingly, the Civil Application No. 14463 of 2017 stands dismissed as withdrawn with no orders as to costs. The applicant shall proceed further for hearing of another application on his behalf vide Civil Application No. 14464 of 2017, on merit.

5] Accordingly, application stands disposed of in above terms.

[K.K. SONAWANE]
JUDGE.

grt/-