

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION [W] NO. 1499/2018
IN WRIT PETITION NO. 2862/2004.

Bharat Sanchar Nigam Limited.

-VERSUS-

Sub Divisional Officer, Khamgaon.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI
& M. G. GIRATKAR, JJ.**

DATE : SEPTEMBER 04, 2018.

Heard Shri V.V. Bhangde, learned Counsel
for the applicant, Ms. N.P. Mehta, learned A.G.P. for
respondent – State and Smt. S.W. Deshpande, learned
Counsel for original petitioner.

2. Learned counsel for petitioner submits that
the office of petitioner is still not in a position to give
complete information to her.

3. This Court has already given last chance to
petitioners on 31.07.2018, though request for
adjournment was being opposed by learned counsel
for the applicant.

4. We find that entitlement of applicant to

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the amount in deposit with interest accrued upon it, is settled in judgment dated 05.04.2018 in Writ Petition No. 2862/2004. The observations in paragraph nos. 16 and 17 conclude the controversy.

5. Learned counsel for petitioner however, has invited our attention to the findings in paragraph nos. 14 and 15 of the said judgment. The observations were made on earlier judgment delivered by the learned Single Judge of this Court on 21.11.2015 while deciding First Appeal No. 173/2002, along with other connected appeals.

6. This Court has in paragraph no.15 of the judgment dated 05.04.2018, found that the observations in paragraph no.14 were not relevant in Writ Petition No. 2862/2004.

7. In this situation, the request made by the applicant Dr. Paldiwal, for permitting him to withdraw the amount in deposit with interest accrued upon it, needs to be granted.

8. Accordingly we make rule absolute in terms of prayer clause (ii) of above Civil Application and the same is disposed of. No costs.

JUDGE**JUDGE**

Rgd.