

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

989 WRIT PETITION NO.8994 OF 2019

PANDURANG BALASAHEB KAILEWAD
VERSUS
ASSISTANT REGISTRAR PARTNERSHIP AND ANOTHER

...
Advocate for Petitioners : Mr.S.V. Natu h/f Mr. Shah N.S.

...

CORAM : **RAVINDRA V. GHUGE, J.**

Date: July 26, 2019

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PER COURT :-

1 The learned Advocate for the petitioner makes a grievance that, the Assistant Registrar, Partnership Firm, Aurangabad has abdicated his power and declined to consider the grievances of the petitioner, set-out in his application, seeking rectification of a mistake under section 64 of the Indian Partnership Act, 1932.

2 He further points out that, he had earlier filed Writ Petition No.534/2019 before the learned Division Bench of this Court, which directed the respondent No.1 to decide his application, vide order dated 28.1.2019.

3 The petitioner contends that his name was deleted from a partnership firm Viz. J.M. Cast by presenting a different person in his place before the first respondent, praying for deletion from the partnership firm. He submits that an imposter stood before the first respondent leading to the deletion of the petitioner.

4 This mistake committed by the first respondent can be

rectified under section 64. This petition is partly allowed.

5 The impugned order dated 28.2.2019 is quashed and set aside.

6 The application of the petitioner dated 1.10.2018 is restored to file of the first respondent. The petitioner shall appear before him on 9.8.2019 at 11 a.m.. Respondent No.1 shall decide the application in accordance with law, keeping in view the directions of the learned Division Bench dated 28.1.2019.

(RAVINDRA V. GHUGE, J)

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