

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

CIVIL APPLICATION NO.2051 OF 2019

IN

MISCELLANEOUS CIVIL APPLICATION NO.1012 OF 2019

IN

WRIT PETITION NO.2479 OF 2017

(Hiraman Shankar Shirsat ..vs.. The Chairman, Administrative Board of Directors, Mah. State Co-op. Bank Ltd, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Hiranman Shirsat-the applicant in-person,

CORAM : ROHIT B. DEO, J.

DATED : 08-11-2019

Heard Shri Hiranman Shirsat who appears in-person.

2. Shri Hiranman Shirsat has taken out this application for calling of the record of proceedings of Execution 5/2014 which is pending in the Court of Civil Judge (Senior Division), Khamgaon.

3. Shri Hiranman Shirsath states that he is the applicant/decreed-holder in the said execution proceedings, and that if the record is summoned, the same would not prejudice any party. Shri Hiranman Shirsat submits that it is necessary to summon the record to enable him to effectively address the Court in support of the review application.

4. In view of the said submission, the record and proceedings of Execution 5/2014 which is pending before the Civil Judge (Senior Division), Khamgaon be summoned.

5. Shri Hiranman Shirsat be granted Hamdast to enable him to ensure that the record is received as early as possible.

6. Shri Hiranman Shirsat would submit that the record of Miscellaneous Civil Application (Review) 3986/2015 which is pending before this Court be summoned. It would not be necessary to pass any order on the said request, since the record of the pending matter can always be summoned for reference as and when the review application is heard.

7. The application is disposed of in the afore-stated terms.

Civil Application 2051/2019

In view of prayer clause (1), it would be necessary to hear the learned Counsel Shri S.S. Ghatge. A copy of this application is supplied by the review applicant-Shri Hiranman Shirsat to the learned Counsel Shri S.S. Ghatge today.

2. Shri S.S. Ghatge, learned Counsel may, if so deemed fit, file an appropriate response within two

weeks.

3. According to Shri Hiranman Shirsat-the applicant who appears in-person, it would not be necessary to issue notice to respondents 2 to 7 and Shri Hiranman Shirsat states that the notice may be restricted to respondent 1.

4. In view of the said submission, issue notice only to respondent 1, returnable on 22-11-2019.

5. Hamdast is granted.

Civil Application 1902/2019

Shri Hiranman Shirsat who appears in-person is requesting that he be granted Hamdast to serve respondent 1-the Chairman, Board of Administrators, the Maharashtra State Co-operative Bank Limited, Mumbai.

2. The request is granted.

3. The registry to issue Hamdast of notice issued to respondent 1.

JUDGE

adgokar