

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 5307 OF 2018 IN
CIVIL APPLICATION NO. 14711 OF 2016 IN FAST/17788/2016

NARSING DNYANOBA KUTWADE AND ANOTHER
VERSUS
PRAKASH SHIVAJI JOGDAND AND OTHERS

....

Mr. Satish S. Manale, Advocate for the Applicants
Ms. Sayali Tekale, Advocate h/f Mr. S.G. Chapalgaonkar, Advocate
for Respondent No.3

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 04th DECEMBER, 2021

PER COURT:-

1. Heard Mr. Manale, learned counsel for the applicants and Ms. Sayali Tekale, learned counsel holding for Mr. S.G. Chapalgaonkar, learned counsel for respondent no.3.
2. Mr. R.B. Deshmukh, learned counsel for respondent nos.1 and 2 and Mr. R.D. Biradar, learned counsel for respondent no.4 are absent when matter is called out.

3. For the reasons stated in the application, the application needs to be allowed.

ORDER

(i) Civil application is hereby allowed in terms of prayer clause 'B'

(ii) Issue fresh notice to respondent no.5 in civil application no.14711 of 2016, returnable on 10.01.2022.

(iii) The civil application stands disposed of accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane