

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

CIVIL APPLICATION (CAW) NO.868/2021

IN

WRIT PETITION NO.3386/2008 (D)

Gondia Zilla Dugdha Utpadak Sangh

...Versus...

Liladhar s/o Hemraj Agrawal and another

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

Court's or Judge's orders

Shri Thakre, Advocate h/f Shri D.R. Khapre, Advocate for petitioner
Shri A.Z. Mirza, Advocate for respondent no.2/applicant

CORAM : AVINASH G. GHAROTE, J.

DATE : 09/08/2021

The application seeks return of the bank guarantee furnished by the respondent no.2, in pursuance to the order dated 02/02/2009, on the ground that the writ petition already stands dismissed on 20/6/2017. It is now more than four years since the petition has been dismissed. Till date, no application for restoration has been filed. Though, Shri Thakre, learned Counsel holding for Shri D.R. Khapre, learned Counsel for the petitioner submits that he will take instructions whether a restoration application should be filed or not, in view of the change in Management, it is too late in the day to stall the release of the bank guarantee, which is being sought four years after dismissal, in

view of which the civil application is allowed. The bank guarantee furnished by the respondent no.2 be returned to the respondent no.2.

The civil application stands disposed of accordingly.

(AVINASH G. GHAROTE, J.)

Wadkar