

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

904 CIVIL APPLICATION NO.11825 OF 2021

IN CA/5934/2017 IN FA/2164/2014

RATAN SHRAVAN SHINDE (GPA) AND OTHERS

VERSUS

THE AREA MANAGER, MAHARASHTRA INDUSTRIAL DEVELOPMENT
CORPORATION, JALGAON AND OTHERS

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Advocate for Applicants : Mr. Kuldeep Patil, h/f Ms. Usha V. Yadav.

Advocate for Respondent No.1: Mr. G. S. Khaire, h/f Mr. S. S. Dande.

AGP for Respondent Nos.2 & 3 : Mr. A. B. Chate.

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CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 17th February, 2022.

P.C.:

. Heard Mr. Kuldeep Patil, holding for Ms. Usha Yadav, learned counsel for applicants, Mr. G. S. Khaire, holding for Mr. S. S. Dande, learned counsel for respondent No.1 and Mr. A. B. Chate, learned AGP for respondent Nos.2 and 3.

2 Mr. Kuldeep Patil, learned counsel for applicants seeks leave to place on record copy of order passed by the Registrar (Judicial) of this Court dated 11th September, 2018. Leave granted. Copy of order passed by the Registrar (Judicial) is taken on record and marked as 'X' for identification. Mr. Patil, learned counsel for applicants submits that the names of respondent Nos.3 to 7 have been deleted from the array of appeal memo and as such, it is necessary to delete the names of

respondent Nos.3, 4, 5, 7 and legal representatives of respondent No.6 from Civil Application No.5934 of 2017 for withdrawal of amount and modify the order dated 26th July, 2017 and allow respondent Nos.1 and 2/original claimants to withdraw the amount.

3 Mr. G. S. Khaire, holding for Mr. S. S. Dande, learned counsel for respondent No.1 and Mr. A. B. Chate, learned AGP for respondent Nos.2 and 3 have no objection to allow this application in the light of order passed by the Registrar (Judicial) dated 11th September, 2018 in First Appeal No.2164 of 2014 and allow the original claimants to withdraw the amount as per the order passed earlier by this Court.

4 Having regard to the submissions of the learned counsel for applicants, learned counsel for respondent No.1/MIDC and the learned AGP for respondent Nos.2 and 3, there is no hurdle to allow this application. Hence, the following order is passed:

ORDER

- I. The civil application is hereby allowed in terms of prayer clause (B).
- II. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]