

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

CIVIL APPLICATION (CAO) NO. 239/2022 IN
MISC. CIVIL APPLICATION (REVIEW) ST. NO. 2956/2014 (D) IN
SECOND APPEAL NO. 15/2007 (D)

(Pralhad Charandas Rathod Maharaj (dead) thr. Legal Heirs Vs. Uttam Charandas Rathod (dead) thr. Legal Heirs & ors.

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

Court's or Judge's orders

Mr. S. S. Dhengale, Advocate for applicants.
Mr. Kshitiraj Jain, Advocate for respondent Nos. 1 to 5.

CORAM : V. G. BISHT, J.
DATE : 06/04/2022

1. This application has been jointly moved by the applicants and the respondents seeking discharge of the Administrator appointed by this Court pursuant to the order dated 08.08.2014 passed in Civil Application No. 237/2014 (C.A. Stamp No. 2958/2014 in M.C.A. Stamp No. 2956/2014 in Second Appeal No. 15/2007 and also for return of valuables and amount lying with the Administrator as per the earlier order dated 15.10.2013 passed in Second Appeal No. 15/2007.

2. I have heard learned counsel for the parties.

3 I have gone through the order dated 15.10.2013 passed in Second Appeal No. 15/2007 by this Court whereby, the Court Commissioner appointed by this Court was discharged

with effect from 15.10.2013 and it was directed that if the Commissioner is retaining any money, articles including valuable articles and documents of the trust, the same be returned to the parties to this appeal, who shall pass receipt discharging the Commissioner from his liability in respect of the same.

4. It further appears that in the interregnum period, review application was filed by the third party which was ultimately withdrawn and as of now no litigation is pending before this Court between the parties.

5. In the light of order dated 15.10.2013 passed by this Court in Second Appeal No. 15/2007 and the fact that the Court Commissioner was also discharged with effect from 15.10.2013, the present application stands allowed and disposed of in terms of prayer clause (i) and (ii).

6. Steno copy is granted.

[V. G. BISHT, J.]

Gohane

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signed by
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BHARAT
GOHANE
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