

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO. 8497 OF 2018
IN
WRIT PETITION NO. 9962 OF 2017

JAGDAMBA VIDYA PRASARAK MANDAL AND ANOTHER
VERSUS
SYED WASEEM SYED SAHAB

.....
Advocate for Applicant : Mr. Vivek J. Dhage

AND
CIVIL APPLICATION NO.11811 OF 2021
IN
WRIT PETITION NO. 9962 OF 2017

SYED WASEEM SYED SAHAB
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
...

Advocate for Applicant : Mr. Thombre S.S.
AGP for Respondents 1 to 3: Mr. S.G. karlekar
Advocate for Respondents 5 and 6 : Mr. V.J. Dhgate
Advocate for Respondent No.4 : Mr. V.P. Latange

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th JANUARY, 2023.**

PER COURT :-

1. The civil application No. 8497 of 2018 was filed by the management seeking permission to deposit Rs.4,32,000/-. The said prayer was accordingly granted earlier. The amount is also deposited long ago. In view of the above, civil application No. 8497 of 2018 is disposed off.

2. Shri Thombre, the learned advocate for the petitioner has strenuously prayed for liberty to withdraw the amount of Rs.2,16,000/-. He submits that earlier an order permitting him to withdraw was passed on 11.10.2018. Much time has passed by and, therefore, as the petitioner, who was working as Assistant Professor and presently does not earn any salary, this application may be allowed.

3. We have perused the earlier order passed on 11.10.2018, vide which this Court permitted the petitioner to withdraw 50% of the amount. He has accordingly withdrawn Rs.2,16,000/-. This Court has recorded in paragraph 4 that as there are several disputed questions, the petitioner cannot be permitted to withdraw the entire amount.

4. In view of the above, this application is disposed off.

5. Considering the earlier orders of listing the petition for final hearing, we accordingly post the petition for final hearing, on 23.02.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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