

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3602 OF 2022
IN
WRIT PETITION NO.7423 OF 2008**

Shree Renuka Sugars Ltd.

....Applicant

In the matter of

Shyamrao Gopala Nangre-Patil & Ors.

...Petitioners

Vs.

Udausingrao Gaikwad Sahakari Sakhar
Karkhana Ltd. & Ors.

...Respondents

Ms Manisha Jagtap and Ms Sairuchita Chowdhary i/b J. Shekhar & Co. for Original Petitioner.

Ms Rnea Francis i/b Mr. Jitendra Pathak for Applicant in Iast/5310/2023.

Mr. S. S. Patwardhan a/w Mr. Ajay Rajenimbalkar i/b Mr. Shelar for Respondent No.2

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL JJ**

DATED : 29th MARCH 2023

P.C. :

1 Counsel in unison state that petition itself be listed for final hearing since the arguments in the interim application will, more or less, be the same as in the petition. Apart from interim application no.3602 of 2022, which is listed today, there is one more interim application being interim application (st) no.5310 of 2023 which is not listed today. In both these applications respondent no.1 and respondent no.2 are praying for directions to the Registrar, Appellate Side to pay over the amount that respondent no.2 had deposited pursuant to an order passed by this court on 17th January

2009. If petition succeeds, the amount could be paid over to respondent no.1 and if petition fails, the amount would be paid over to respondent no.2. This is what prima facie we feel, will be the outcome. We clarify that it is open to parties to argue otherwise.

2 Petition be listed for final hearing on 27th April 2023.

3 Interim application no.3602 of 2022 and Interim application (st) no.5310 of 2023 stand disposed in view of the above order.

(RAJESH S PATIL, J.)

(K.R. SHRIRAM, J.)