

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

CIVIL APPLICATION (CAF) NO. 558/2023 IN
FIRST APPEAL NO. 206/2022

M/S Adit Enterprises (Agency) Thr. Owner/Proprietor Shri Anilkumar
Jugalkishore Rathi, Nagpur

Vs

Shri Hasinuddin Sheikh S/O Amir Sheikh And Others

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

Court's or Judge's Order

Mr N.W.Almelkar, advocate for the appellant.
Ms H.S. Dhande, Advocate, for the respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/03/2023.

1. This is an application for speaking to minutes.
2. It is contended that the instant first appeal come up for hearing for admission before this Court on 09/02/2023, after hearing both sides, this Court granted the stay. However, while passing the order, respondent Nos. 1 and 2 are seeking permission to withdraw the amount.
3. The said application is opposed by the appellant on the ground that the appellant is the petty contractor. In fact, application No. 1967/2022 is filed by the appellant for restraining respondent Nos. 1 and 2 from withdrawing the amount of compensation.
4. The observation is made by oversight. Inadvertently, therefore, the order dated 09/02/2023 passed below in Civil Application No. 1967/2022 in para-1 and 2 be corrected by mentioning that "by this application, the appellant is seeking

relief restraining the original claimant to withdraw the amount”.

5. The said application is opposed by the respondent on the ground that they are entitled to receive compensation. Respondent No.3 is not served.

6. In view of the above observation, the order passed on 09/02/2023 below civil application No. 1967/2022 be corrected and the order be uploaded afresh.

7. Place the matter after service of respondent No.3 on 06/04/2023.

Civil application No. 558/2023 is disposed of.

JUDGE