



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10708 OF 2024
IN
WRIT PETITION NO.11380 OF 2014**

**GAYATRI LAWNS A PARTNERSHIP FIRM THROUGH ITS
PARTNER SUNIL SHRIRAMLALJI JAISWAL AND ANOTHER
VERSUS
THE MUNICIPAL CORPORATION AURANGABAD AND OTHERS**

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Advocate for Applicants : Mr. Kshitij Surve

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 4th OCTOBER 2024**

PER COURT :

. Heard Mr. Kshitij Surve learned Counsel for the applicants.

2. The applicants are seeking modification in the order dated 14.12.2023 in a disposed matter i.e. Writ Petition No.11380/2014. In paragraph no.5 of the order, the amount which was deposited in this Court was directed to be refunded to the petitioner i.e. Gayatri Lawns, a Partnership Firm. It is informed that the Petitioner-Firm stood dissolve somewhere in 2018 and inadvertently it was not informed to this Court while passing order disposing of the petitions. The applicant faced difficulty as the amount could not be disbursed to the petitioner-Firm. Hence a modification is sought in paragraph no.5 of the order.

3. Mr. Sunil Shriramlalji Jaiswal and Mr. Sachin Shriramlalji

Jaiswal are the partners of petitioner firm – Gayatri Lawns. The original proceedings were prosecuted by the Firm. The record reveals that these are only two partners of the dissolved firm. Learned Counsel for the applicants also confirms that there are only two partners who are real brothers. They are having individual accounts in the Nationalized Bank so as to enable this Court to disburse the amount to either of their accounts.

4. The relief claimed in the application is innocuous. As the application is filed by one of the partners – Mr. Sachin Shriramlalji Jaiswal, the office can be directed to refund the amount with interest to the account of Mr. Sachin Shriramlalji Jaiswal.

5. The application is allowed partly. Order dated 14.12.2023 is modified to the extend of paragraph no.5. The amount with accrued interest shall be disbursed to the account of Mr. Sachin Shriramlalji Jaiswal as the representative of both the partners.

6. The application is disposed of.

SHAILESH P. BRAHME
JUDGE

Ngjeeb..