



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

**939 CIVIL APPLICATION NO. 11605 OF 2023
IN FIRST APPEAL NO.640 OF 2006**

**DEOGIRI VALLEY INNOVATIVE INFORMATION
TECHNOLOGY PVT LTD. THR ITS MANAGING
DIRECTOR ASHOK**

VERSUS

THE STATE OF MAHARASHTRA & OTHERS

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Advocate for Applicant : Adv.V.D.Salunke
AGP for Respondent-State : Adv.V.M.Chate
Advocate for Respondent no.3 : Adv.D.B.Gaikwad

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.02.2024

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] The present Civil Application is filed seeking discharge of the securities and sureties submitted by the applicant while withdrawing the amount deposited by the State pursuant to order dated 14th October, 2009 passed in Civil Application No.5657 of 2008.
- 3] The learned counsel for the applicant submits that the State of Maharashtra had filed First Appeal No.640 of 2006 to challenge the judgment and decree dated 02.12.2005 passed by the Joint Civil Judge Senior Division, Aurangabad in Special Civil Suit No.146 of 2004 and the

said appeal was transferred to the District Court in view of the enlargement of jurisdiction. The First Appeal is dismissed by the District Judge vide judgment and order dated 21.10.2021. The learned counsel further submits that there is no further appeal filed by the acquiring body / State.

4] The respondents do not dispute the above stated facts by the applicant.

5] In view of the same, the present civil application is allowed in terms of prayer clause-A. Civil Application is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC