



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

**963 CIVIL APPLICATION NO. 2702 OF 2024
IN WP/15721/2023**

GANGUBAI RAMBHAU ALIAS RAMCHANDRA KOLHE THR LRS BHAUSAHEB
AND ORS

VERSUS

MANAGER MAHARASHTRA SHASHAN UDYOG URJA AND KAMGAR VIBHAG
THROUGH AUDYOGIK VIKAS MAHAMANDAL AND ORS

...

Advocate for Applicant : Mr. Dighe Praveen S

AGP for Respondents-State: Mr. V. M. Chate

Advocate for Respondents No.11 to 14 and 22 in WP : Mr. V. P. Latange

Advocate for Petitioners in WP : Mr. S. S. Dande

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**WITH
WRIT PETITION NO. 15721 OF 2023**

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CORAM : ARUN R. PEDNEKER, J.

Dated : April 16, 2024

PER COURT :-

1. The learned Advocate for the applicants has taken me through the order passed below Exhibit 6, dated 03/03/2015 [at page No.40 of the application], by the Adhoc District Judge-3, Ahmednagar, in Misc. Civil Appeal No.34/2015, wherein the respondent No.17 i.e. the present writ petitioner in Writ Petition No.15721/2023, had made a statement that they will not disburse the amount to any of the appellant or other respondents until further orders of the Court and the Court had accepted the statement.
2. Notwithstanding the above statement of the learned Advocate for the petitioner/ respondent No.17 in the Misc.Civil appeal No.34/2015, the entire claim amounts were disbursed to the other claimants. The applicant points out that, in view of the disbursement of the amount to the other

claimants, although the decree is in favour of the applicant to the extent of her 1/5th share, she is not been able to recover the same.

3. In response to the submissions made by the learned Advocate for the applicant, the learned Advocate appearing for the MIDC has taken me through page No.86, 87 and 89 of the writ petition whereby he points out that the communication was given to the Sub-Divisional Officer not to disburse the amount to the claimants. However, notwithstanding the intimation given to the Sub-Divisional Officer, he has disbursed the amount.

4. The Advocate for the petitioner has also added Sub-Divisional Officer as party in the present petition.

5. The learned AGP appearing for the Sub-Divisional Officer is directed to file affidavit of the concern Sub-Divisional Officer within a week as to how the orders below Exhibit 6 of the Court dated 03/03/2015, in Misc.Civil Appeal No.34/2015, is not followed.

6. The learned Advocate Mr. V. P. Latange for other claimants appearing in the writ petition also to file an affidavit explaining how he has withdrawn amount when they were parties in the Misc.Civil Appeal No.34/2015.

7. List the matter on 23/04/2024.

(ARUN R. PEDNEKER, J.)

vj gawade/-.