



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO. 7913 OF 2022
IN WP/762/2006

Arun Kadu Bhoge And Others

....Applicants

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....
Mr. Pramod Gaikwad h/f. Mr. A.G. Talhar, Advocate for Applicants
Mrs. M.L. Sangit, AGP for State

WITH

WRIT PETITION NO. 762 OF 2006

WITH

CIVIL APPLICATION NO. 5478 OF 2006
IN WP/762/2006

.....

CORAM : MANJUSHA DESHPANDE, J.

DATE : 24th JANUARY, 2025

ORDER :

1. The present civil application is filed by applicants seeking withdrawal of amount deposited in this Court along with interest accrued thereon and also seeks permission to withdraw the writ petition.

2. Applicants/petitioners have filed writ petition challenging the notices dated 14.11.2005 and 01.12.2005. Applicants have also challenged the recovery certificate dated 08.10.2005 issued by non applicant No. 3. On 20.12.2006, this Court was pleased to direct the applicants to deposit 50% of the

Bhagyawant Punde

recoverable dues on or before 31.01.2007. On 25.01.2007, applicants have deposited Rs. 96,000/- vide D.D. No. 101294 and 101295 of Rs. 48,000/- each. Thereafter, on 20.04.2006, this Court issued rule in the writ petition. According to applicants, loan account has been settled by applicants and bank has also issued no dues certificate dated 17.09.2021, which is annexed at page No. 19 of this civil application. Therefore, no dues are pending with the applicants.

3. Since, loan account with the bank itself has been settled by the applicants and certificate to that effect is issued by the bank, nothing survives for adjudication in the writ petition. Hence, civil application is allowed in terms of prayer clause 'B' and 'C'.

4. Applicants are permitted to withdraw Rs. 96,000/- deposited in this Court along with accrued interest thereon till date.

5. In view of above, writ petition stands disposed of.

6. In view of disposal of writ petition, Civil Application No. 5478/2006 is disposed of.

(MANJUSHA DESHPANDE, J.)

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