



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

**CIVIL APPLICATION NO. 12102 OF 2025
IN
FIRST APPEAL NO. 648 OF 2011**

Deelip Shrirang Athwale .. Applicant

Versus

The State of Maharashtra and another .. Respondents

Shri Dattatraya R. Jayabhar, Advocate for the Applicant.
Mrs. M. N. Ghanekar, A.G.P. for the Respondent No. 1.
shri Tatyasaheb Bhosale, Advocate for the Respondent No. 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 07TH NOVEMBER, 2025.**

FINAL ORDER :

. Learned counsel for the applicant tenders on record application. Office is directed to register the same.

2. The grievance of the applicant is that though applicant No. 2 – Raju Pandurang Athwale is one of the claimants and party to the proceedings as well as first appeal he was not made party in the Civil Application No. 3783 of 2024. Couple off orders are passed in the civil application permitting the applicant to withdraw the amount on certain conditions and relaxing the condition. It's a fact that applicant No. 2 was not impleaded. Undisputedly, applicant No. 2 is the co-claimant and he is also entitled for the same relief as that of the applicant No. 1. In view

of the above situation it is desirable to modify the order dated 25.04.2025.

3. The civil application is allowed in terms of prayer clauses 'B' and 'C'. Amount shall be disbursed to both the applicants on conditions stipulated earlier. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Nov. 25