

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

20 WRIT PETITION NO. 10671 of 2024

**BALASAHEB ALIAS SHRIMANT PRALHAD KAKADE
VERSUS
THE SPECIAL RECOVERY OFFICER AND ANOTHER**

**WITH
CIVIL APPLICATION NO. 4404 OF 2025
THE SPECIAL RECOVERY OFFICER AND ANOTHER
VERSUS
BALASAHEB ALIAS SHRIMANT PRALHAD KAKADE**

...
Mr. Abhijit More, Advocate for original petitioner.
Mrs. Jayshree Gite, Advocate for respondents.
...

**CORAM : R.G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 21 APRIL 2025

P.C. :

1. Heard rival submissions.
2. The present petition is filed for challenging the notice of recovery bearing No.60/2023-24, dated 13.01.2024. However, during pendency of this petition, the petitioner has already deposited the entire amount of award passed by the learned Arbitrator dated 27.05.2017, pursuant to the order dated 18.10.2024 passed by this Court. Respondent No.1 has already filed an application for withdrawal of the said amount. The learned Counsel for the petitioner submits that since the entire amount of arbitral award is already deposited in this

Court, nothing remains in the petition. Learned Counsel for respondent No.1 also conceded that the entire amount of arbitral award in dispute is already deposited and there will be no dues.

3. In view of the same, the writ petition stands disposed of by granting permission to respondent No.1 to withdraw the entire amount of award i.e. Rs. 15,80,000/- alongwith interest accrued thereon till date.

4. Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

(R.G. AVACHAT,J.)