



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

916. WRIT PETITION No. 1315 of 2019

M/s. S.D. Shinde & Company, Ahmednagar ...Petitioner

VERSUS

Godavari Marathwada Irrigation Development
Corporation, Aurangabad and others ...Respondents

Mr. Girish K. Thigle (Naik), Advocate for petitioner.

CORAM : SUNIL P. DESHMUKH, J.

DATE : 20th February, 2019

ORDER:

1. Learned counsel for petitioner draws attention to paragraphs no. 2 and 3 of order dated 15th January, 2018 in writ petition no. 406 of 2018 observing in paragraphs No. 2 and 3 as under:

“ 2. It is, further, contended that if the petitioner is allowed to intervene in the execution proceedings, the petitioner company would restrict its interest only to the extent of the income tax and the bank guarantee and related things.

3. Issue notice before admission to the respondents, returnable on 23/02/2018. ” ;



followed by order dated 21st September, 2018 and refers to paragraph no.3 thereof reading, thus,

“ 3. The petitioner may assail the final order as may be permissible in law and while doing so is entitled to assail the orders assailed in the present petition. The writ petition is accordingly disposed of. No costs.”

2. Learned counsel for petitioner submits that in view of aforesaid, present writ petition has been preferred.

3. Issue notice to respondents, returnable on 20th March, 2019.

4. In addition, petitioner is at liberty to serve respondents by any legally acceptable private mode of service and file affidavit along-with tangible proof to that effect before returnable date.

**(SUNIL P. DESHMUKH)
JUDGE.**

Madkar