

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CONTEMPT PETITION NO.31 OF 2015
WRIT PETITION NO.5179 of 2003

Avtarsingh s/o Indersingh Sodhi,
age: 59 years, Occ: Business,
R/o Shahnoorwadi, Aurangabad

Petitioner

Versus

1 Dr.Prakash Mahajan,
Municipal Commissioner,
Aurangabad Municipal
Corporation, Aurangabad.

2 The State of Maharashtra,
Urban Development Department,
Government of Maharashtra.

Respondents

Mr.P.N.Sonpethakar, advocate for the petitioner
Mr.A.M.Karad, advocate for Respondent No.1.
Mr.A.R.Borulkar, A.G.P. for Respondent No.2.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 24th November, 2015**

PER COURT:

1 Petitioner is alleging contempt of the order dated 06.05.2014, passed by this Court in Writ Petitions No.5179 of 2003 & 5183 of 2003.

2 Learned Counsel appearing for Respondent-Municipal Corporation has placed on record additional affidavit-in-reply giving details of calculations and stating therein that a sum of Rs.10,98,765/- has been paid in excess to the petitioner in Writ

Petition No.5183 of 2003 and said amount is required to be adjusted against dues payable to the petitioner in Writ Petition No.5179 of 2003. The contesting Respondent has also deposited a sum of Rs.14,50,055/- in this Court.

3 Learned Counsel appearing for the Contempt petitioner does not accept the calculations recorded in paragraph no.7 of the additional affidavit-in-reply. It is further informed that applications seeking execution of the order passed in both the writ petitions are presented and same are pending.

4 Without entering into merits of the controversy, we deem it appropriate to dispose of the Contempt Petition with liberty to the contempt petitioner to prosecute the execution applications presented by him. It is also open for the contempt petitioner to withdraw sum of Rs.14,50,055/-, deposited by Respondent-Municipal Corporation, in this Court.

5 Contempt Petition stands disposed of.

A.I.S.CHEEMA
JUDGE

R.M.BORDE
JUDGE

adb/cp3115