

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.13006 OF 2015
IN
CONTEMPT PETITION NO.265 OF 2010

RUQAYYA D/O MOHD. YUSUF ANSARI

APPLICANT

VERSUS

THE STATE OF MAHARASHTRA AND
OTHERS

RESPONDENTS

Mr.M.S.Choudhary, Advocate for the applicant.
Mr.S.J.Salgare, AGP for respondent Nos. 1 and 2.
Mr.R.T.Nagargoje, Advocate for respondent No.4.
Mr.Hemant Surve, Advocate for respondent No.3.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 14/10/2015

PER COURT :

1. The applicant, in this application, prays for withdrawing the amount of Rs.15,000/- deposited by respondent No.3 in this Court.
2. Mr.Surve, learned Advocate has opposed the application on the ground that the amount has been deposited to show the bonafides of his client. He further submits that the applicant is not in employment and may not be in a position to return the amount if the applicant fails in the contempt petition.

3. Considering the submissions of Mr.Surve, Mr.Choudhary, learned Advocate for the applicant was called upon to state as to whether the applicant would be able to return the amount in the event she fails in this proceeding.

4. Mr.Chaudhary has replied by stating as under :-

- [a] The applicant is out of employment for the last 9 years.
- [b] She does not have the financial capacity to repay the said amount.
- [c] She can only give an oral undertaking.
- [d] She does not have any surety to give.
- [e] She has no residence even to reside.

5. In the light of the above, this civil application is disposed off with the direction that the amount of Rs.15,000/- shall be invested in a Nationalized Bank in Aurangabad Town in a Fixed Deposit Receipt for an initial period of 3 months. The claim of the Applicant shall be subject to the decision of this Court in her Contempt Petition No.265/2010.

(RAVINDRA V. GHUGE, J.)