

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 310 OF 2016
IN WP/5369/2015
WITH CP/312/2016 IN WP/5343/2015
WITH CP/313/2016 IN WP/5341/2015

THE GENERAL SECRETARY,
SHRIGONDA TALUKA SAKHAR KAMGAR UNION
VERSUS
UMESHKUMAR PREMNARAYAN AGRAWAL AND ANOTHER

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Advocate for Petitioner : S/Shri A.S.Shelke a/w M.V.Navandar,
S.V.Natu and B.B.Yenge
Advocate for Respondents 1 & 2 : Shri Dhorde Vikram R.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 13, 2016

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PER COURT :-

1. Pursuant to the order dated 21.9.2016, Shri Dhorde, learned Advocate tenders across the Bar, a communication dated 29.9.2016, under the signature of the Managing Director of the Maharashtra State Seeds Corporation Limited, copies of which are supplied to the learned Advocates for the petitioners. He submits that the text of the said communication addressed to him is self explanatory. The amount of Rs.6,48,453/- would be deposited in this Court. The Contempt Petitions can, therefore, be disposed off and the said amount can be invested with the Nationalized Bank till the Writ Petitions are decided.

2. Copy of the communication dated 29.9.2016 is marked Exhibit "X" for identification.

3. Learned Advocate for the petitioners submit that they are willing to withdraw these petitions, on instructions, in the light of Exhibit "X" but on the condition that they should be allowed to withdraw the entire amounts being deposited as they are entitled to these amounts in the light of the order passed by the Honourable Supreme Court dated 8.3.2016 in Special Leave to Appeal Nos. 5882 of 2016 and 5885 of 2016.

4. On a query, as to whether these petitions can be disposed off, if they are allowed to withdraw 50% of the amounts, posed by the Court, learned Advocates have expressed their consent, on instructions.

5. Shri Dhorde submits that the amounts set out in Exhibit "X" would be deposited since the Writ Petitions are pending and the pendency of the Writ Petitions, pursuant to the impugned orders are creating heavy financial burden upon the original petitioners, which is a State instrumentality. He, therefore, prays that those Writ Petitions be listed for final hearing.

6. In the light of the above, on the statement of the petitioners

made on instructions, these three Contempt Petitions are disposed off as withdrawn, with the direction to the respondents to deposit the said amount of Rs.6,48,453/- before the Registrar of this Court, within a period of one week from today. Shri Dhorde submits that the said amount would be accordingly deposited. After the amount is deposited, the petitioners would be at liberty to withdraw an amount of Rs. 3,24,226/-. The rest of the amount shall be invested in a Nationalized Bank, initially for a period of three months, considering the fact that the Writ Petitions are being listed for final hearing on 21.10.2016 at 2.30 pm.

7. Needless to state, the deposit of the said amount is without prejudice to the rival contentions of the respective sides in the Writ Petitions.

(RAVINDRA V. GHUGE, J.)

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