

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

REVIEW APPLICATION (CIVIL) NO. 128 OF 2016
IN CP/216/2016

FULCHAND VISHWANATH BIRAJDAR AND OTHERS
VERSUS
SWADHIN KSHTRIYA AND OTHERS

...
Advocate for Applicants : Mr. N.P. Patil Jamalpurkar
AGP for Respondents: Mr. N.B. Patil.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 1ST AUGUST , 2016.

PER COURT:

1] Mr. N.P. Patil, learned counsel for the review applicant submits that relying upon the statement made by the respondents that amount of all the petitioners therein has been deposited in the Executing court, this Court had disposed of the Contempt Petition. However, lateron, it is revealed that amount of petitioner Nos. 17 and 18 has not been deposited. Incorrect statement has been made by the concerned Officer. As such, the order passed by this Court in Contempt Petition, to the extent of petitioner Nos. 17 and 18 be reviewed.

2] Learned AGP submits that by mistake, the amount of petitioner Nos. 17 and 18 could not be deposited. There were a group of matters, and as such, confusion was created. Corrective steps have been taken. Proposal was submitted with regard to the amount of petitioner Nos. 17 and 18. Same is also sanctioned by the Divisional Commissioner and the amount is likely to be received from the State very soon and the State is duty bound to deposit

the said amount in the Darkhast proceedings.

3] We have considered the submission. Upon perusing the affidavit, it appears to be a case of bonafide mistake. As now corrective steps are being taken by the respondents, we are not inclined to further probe in the matter. Respondents shall deposit the amount of petitioner Nos.17 and 18, as suggested by it, within a period of two months before the Executing Court. Review application is disposed of.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-