

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1508 OF 2015

Secretary, Gram Pranchayat, Pahela, Tah. and Dist. Bhandara and anr.

-vs-

Jageshwar s/o Bisan Meshram and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. Z. Jibhkate, Advocate for petitioners.
Shri S. P. Pawar, Advocate for respondent No.1.
Shri H. N. Verma, Advocate for respondent No.2.

CORAM : A.S.CHANDURKAR, J.

DATE : JULY 27, 2016

Rule.

To be heard along with Writ Petition No.4947 of 2008.
Shri S. P. Pawar, the learned counsel waives notice on behalf
of the respondent No.1. Shri H. N. Verma, the learned
counsel waives notice on behalf of the respondent No.2.

Since the petitioner has deposited the amount of
Rs.97,000/- in this Court in terms of order dated
23/03/2015, the ad-interim relief shall continue to operate
as interim relief.

Civil Application No.228 of 2016

By this application, the respondent No.1 seeks
permission to withdraw the amounts deposited by the
petitioner.

There is some dispute as to whether the order or
dismissal has attained finality. While it is the case of the
respondent No.1 that the order passed by the Block

Development Officer dated 05/02/2003 has not been challenged by the petitioner, it is the case of the petitioner that a revision application challenging the said order has been filed on 12/09/2003 which is pending. According to the respondent no.2, the said matter was taken up by the Standing committee of the Zilla Parishad and not by its Chief Executive Officer.

In these circumstances the respondent No.1 is permitted to withdraw 50% of the amount deposited subject to filing an undertaking that in case the writ petition is allowed, the said amount shall be repaid with interest at such rate the Court may direct.

Civil application is disposed of.

JUDGE

-: C E R T I F I C A T E :-

“ I certify that this Judgment/order uploaded is a true and correct copy of the original signed Judgment/order.”

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Personal Assistant

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