

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

WRIT PETITION NO. 5233 OF 2017

**SANSKRUTI DEVELOPERS PROPRIETOR SHARAD ANANDA
GORULE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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**Advocate for Petitioners : Mr. Chavan Pravin P.
AGP for Respondents : Mr. A.R.Kale**

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CORAM : R.M.BORDE AND K.L.WADANE, JJ.

DATED : 24th APRIL, 2017

O R D E R :

Rule. Rule is made returnable forthwith.
With the consent of the learned counsel for the
respective parties the petition is taken up for
final hearing at the admission stage.

2. The petitioner is objecting to the
order/directions issued by respondent no.3 on
29.3.2017, thereby forfeiting the amount of

Rs.15,65,308/- deposited by the petitioner on account of delay of one day in depositing the afore said amount. It transpires that on account of counting of votes in the office of Tahsildar and since the office was closed between 24th to 26th February, 2017, the petitioner could not deposit the amount. On 27.2.2017 the petitioner was issued challan and the petitioner deposited the amount on 1.3.2017. The balance 3/4th amount is deposited by the petitioner within the stipulated period. In the circumstances, since the petitioner has complied with the substantive terms and conditions and in view of the reasons put forth the delay of one day in deposit of the 1/4th amount, according to us, is liable to be condoned.

3. Considering the peculiar facts and circumstances of this case, we deem it appropriate to direct quashment of the order passed by the Additional Tahsildar, Ahmednagar on 29.3.2017 and

permit the petitioner to continue with the contract. The order impugned in this petition stands quashed and set aside.

4. Rule is made absolute accordingly. No costs.

(K.L.WADANE, J.)

(R.M.BORDE, J.)

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