

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.291 OF 2017**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr.Avinash V. Joshi, Advocate for Petitioner. Mr. J.A. Madane, AGP for Respondent No.1-State. Mr.Vishwanath Patil, Advocate for Respondents No.2 to 4. Mr. Paresh Bandiwadekar, the Director of the petitioner is present in Court. CORAM : R. G. KETKAR, J. DATE : 10/02/2017

P.C.:

1. Heard Mr.Avinash Joshi, learned Counsel for the petitioner, Mr.J.A. Madane, learned AGP for respondent No.1-State and Mr.Vishwanath Patil, learned Counsel for respondents No.2 to 4, at length. Mr. Joshi states that Mr. Paresh Bandiwadekar, Director of the petitioner is present in the Court.
2. The matter was heard from time to time. In the order dated 23.1.2017, it was noted that the

petitioner has deposited Rs.60 Lakhs and will further deposit Rs.20 Lakhs on or before 8.2.2017. Mr. Joshi states that the petitioner has deposited Rs.20 Lakhs in this Court on 4.2.2017. He states that in pursuance of the order dated 23.1.2017, the petitioner has deposited the entire amount of Rs.80 Lakhs in this Court.

3. Mr. Patil submits that respondent No.2 Corporation has already filed application for withdrawal of Rs.60 Lakhs and assures that he will file application for withdrawal of the remaining Rs.20 Lakhs in this Court. He further assures that upon receipt of Rs.80 Lakhs without prejudice to the rights and contentions of respondent No.2, respondent No.2 will issue challans/ receipts within one week from receipt of the amount.

4. Mr. Patil states that the petitioner is liable to pay Rs.89,88,216/-. Mr. Joshi disputes this. In view thereof, parties are at liberty to exchange their calculations and are at liberty to sit together for resolving the controversy. It is made clear that I

have not examined the merits of the case.

5. Mr. Joshi seeks permission to withdraw the Petition as the petitioner has deposited Rs.80 Lakhs as per the order dated 23.1.2017. In view thereof, on the motion made by Mr. Joshi, Petition is allowed to be withdrawn and is disposed of as withdrawn. Office to transmit the amount forthwith to respondent No.2. Order accordingly.

(R. G. KETKAR, J.)