

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

**CIVIL APPLICATION NO. 5143 OF 2018
IN
WRIT PETITION NO. 14856 OF 2017**

Gram Panchayat Ranjangaon Shenpunji
Through Sarpanch .. Applicant

Versus

Lloyd Rockfibres Private Limited
Aurangabad and another .. Respondents

Shri. A. A. More, Advocate for the Applicant.

Shri. A. D. Soman, Advocate for Respondents.

**CORAM : S.V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATED : 27th April, 2018

PER COURT:

. This civil application for withdrawal of amount of Rs. 10,00,000/-
deposited by the non applicant pursuant to the order passed by this court.

2. Mr. Soman, learned advocate for the non applicant submits that, in

fact the applicant is not entitled for any taxes. The premises is unproductive and in 2013 the non applicant has communicated the applicant the said fact. Rule 19 of the Maharashtra Village Panchayats Taxes and Fees Rules, 1960 gives the protection to the non applicant.

3. Mr. More, learned counsel submits that it is not that the premises was unproductive.

4. Be that as it may, the said aspect will have to be considered on merits. Demand notice of Rs. 17,00,000/- was issued to the applicant. This court directed the non applicant to deposit Rs. 10,00,000/- (Rs. Ten Lakcs Only). The said amount is deposited.

5. The applicant is Gram Panchayat. It would not be difficult to recover the amount from Gram Panchayat if the petitioner succeeds in the writ petition.

6. The applicant is allowed to withdraw Rs. 10,00,000/- (Rs. Ten Lacks Only) deposited by the original writ petitioner in this court, on furnishing undertaking to this court to the effect that, in case the applicant is directed to deposit the amount, it will redeposit the same within one (01)

month. The civil application is disposed of.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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