

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION {L} NO.2912 OF 2017

Pragnesh B. Solanki

.... Petitioner

Vs.

Union of India & Others

.... Respondents

Ms Deepali Kamble for the Petitioner.

Ms P.S. Cardozo for Respondent Nos.1 to 3.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.

DATE : JANUARY 15, 2018

P.C:

1. We have heard both sides. We have perused the orders passed by this Court earlier.

2. The limited aspect that remained after these orders were passed by the Division Bench and in the presence of the parties is the compliance of the same. There was a dispute about the compliance. Now a compliance affidavit has been filed whereafter also the grievance of the petitioner's Advocate was

that the amount has not been brought in the bank account of the petitioner.

3. On the earlier occasion, to clarify this aspect, we granted time to Ms Cardozo. She states, on instructions, that the bank account of the petitioner now stands credited with the sum directed by this Court. The petitioner's Advocate confirms this position but says that it is only today morning that the bank has informed her about such credit. Compliance may have been made but belatedly.

4. We do not entertain this controversy. Now a compliance is reported. We clarify that all orders and directions of this Court issued in this writ petition are restricted and confined to the issue raised in the petition and such an order shall not be treated as a precedent for future cases of the similar nature. Now that an appeal is filed challenging the levy on merits, the rights and equities are balanced, nothing survives in the writ petition and it is disposed of. We clarify that this Court has not expressed any opinion on the merits of the controversy.

All contentions are kept open.

5. Needless to clarify that the order operates and the bank account of the petitioner is released from attachment.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)