

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3850 OF 2019

Kachru Gangaram Kolte.

Petitioner

Versus

The Union of India others.

Respondents

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Mr. Shrimant Mundhe, Advocate for the petitioner.

Smt. Sudha Kulthe, Advocate for respondent Nos.1 and 3.

Mr. G.S. Rane, Advocate for respondent Nos.4 and 5.

Mr. A.R. Syed, Advocate holding for

Mr. S.B. Bhosle, Advocate for respondent No.6.

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CORAM : **S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE : 25 November 2019.

ORDER :-

. It appears that because of the error on the part of petitioner and respondent, the present situation has arisen. It appears that the amount payable to respondent No.6 was deposited in the account of petitioner and instead of paying the amount to respondent No.6, the petitioner received an extra amount of Rs. 96,000/-.

2. It is not disputed by Mr. Rane, learned Advocate for the L.I.C. that the amount of Rs. 96,000/-, which was payable to respondent No.6, is not paid to respondent No.6 as

the same is paid to the petitioner. In the given circumstance and in equity, we pass the following order.

“Respondent Nos.4 and 5 shall deposit an amount of Rs. 96,000/- in the account of respondent No.6 within a period of six weeks. On deposit of Rs. 96,000/- in the account of respondent No.6, respondent No.6 within one week shall transfer the said amount of Rs. 96,000/- in the account of the petitioner”.

3. We have passed this order as it is admitted by the petitioner as well as respondent No.6 that the excess amount that was paid in the account of petitioner, belongs to respondent No.6 and the petitioner has on withdrawing the said amount given it to respondent No.6.

4. With the above observation, Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)