

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4125 OF 2016
(Bhikaji Pandharinath Sonar and others Vs. The State of
Maharashtra and others)

WITH
CONTEMPT PETITION NO.434 OF 2016

Mr.V.B.Patil, Advocate for the petitioners.
Mr.S.R.Yadav, AGP for respondent Nos.1 to 7/State.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 22/01/2019

PER COURT :

1. The learned Advocate for the petitioners submits that an amount of Rs.16,00,000/- pursuant to the order of this Court dated 11/04/2016 was deposited in this Court on 05/05/2016.

2. The Learned AGP submits that the impugned order dated 22/04/2016 would not survive as the disputed issue with regard to the *Nazrana* amount was subsequently regularized by the Collector, Jalgaon in view of the necessary compliances made by the petitioner, owing to the order of the District Collector dated 12/03/2018. The amount of Rs.16,33,594/- was paid by the petitioner directly in the Office of the District Collector, Jalgaon.

3. In view of the above, the learned Advocate for the petitioners prays for refund of the amount of Rs.16,00,000/- deposited by him in this Court on 05/05/2016, alongwith accrued interest.

4. Mr.Patil, learned Advocate submits on instructions of the petitioners that, out of the interest amount that has accumulated in view of the said deposit, the petitioners desire to donate an amount of Rs.50,000/- for the treatment of poor and deprived patients admitted in the Ghati Hospital. This Court acknowledges the gracious gesture of these petitioners.

5. In view of the above, this petition is disposed of as the impugned order dated 22/04/2016 does not survive and stands replaced by the subsequent direction dated 12/03/2018.

6. An amount of Rs.50,000/- shall be transferred by the Registry of this Court to the Government Medical College and Hospital, Aurangabad, **through Medical Officer, High Court Dispensary, Aurangabad**, by cheque or Demand Draft (Demand Draft be drawn in the name of “**Dean, Government Medical College and Hospital, Aurangabad Dengi Samiti**”), expeditiously and report compliance of

the same within 3 (three) weeks from today. Excluding the said amount of Rs.50,000/-, the petitioners are permitted to withdraw the remainder amount i.e. Rs.16,00,000/- and the interest amount.

7. These 3 petitioners shall make individual applications duly identified by the learned Advocate alongwith their recent photograph, bank account number, *photostat* copy of the bank account passbook, self attested copy of their income tax PAN card and recent address proof.

8. In so far as the 68 R land is concerned, which is said to have been acquired under the National Highways Act, the petitioners would be at liberty to resort to a remedy as is permissible in law in the event of any grievance.

9. In view of the above, learned Advocate for the petitioners submits that the contempt proceedings can be disposed of. As such, the said contempt petition stands disposed of.

(Ravindra V.Ghuge, J.)