

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
136 WRIT PETITION NO.9389 OF 2019**

M/S H K TRADERS PATHRI THROUGH ITS PROPRIETOR
..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Mahesh P. Kale, Advocate for the Petitioner.
Mr. S. P. Tiwari, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.
DATED : 02nd DECEMBER, 2019.**

PER COURT:-

1. The learned counsel submits that the petitioner has filed an application for refund of the Earnest Money Deposit. The petitioner is allotted the sand spots, however because of unforeseen circumstances the petitioner could not lift the sand. The petitioner has applied for refund of the amount of EMD (Exhibit-D, Page No.27).

2. In that case, the respondent no.2/3 may take decision upon application of the petitioner for refund of the EMD (Exhibit-D, Page No.27) on its own merits and preferably within a period of four (04) months.

3. Writ Petition is disposed of. No costs.

**(AVINASH G. GHAROTE)
JUDGE**

**(S. V. GANGAPURWALA)
JUDGE**