

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

941 WRIT PETITION NO.5674 OF 2020

SURESH RAMESH BHOR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Milind K. Deshpande, Advocate for the
Petitioner.

Mr. S. S. Dande, AGP for Respondents-State.

Mr. Vaibhav R. Patil, Advocate for Respondent Nos.2
and 3.

...

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 08th SEPTEMBER, 2020.

PER COURT:-

1. Mr. Deshpande, learned counsel for the petitioner submits that pursuant to the order dated 13.08.2020 he has taken instructions in writing from the petitioner. The petitioner is not in a position to deposit the amount.

2. On 13.08.2020 we have passed interim order, the same reads as under:

"1. We are not inclined to entertained the Writ Petition. In fact, the respondent no.4 was directed to deposit Rs.10 Lakhs under order dated 12.02.2020 in Writ Petition No.2869/2020. The amount is not deposited. The petitioner is the real brother of the

partner of respondent no.4.

2. The petitioner has also not shown bonafides to deposit the amount.

3. The learned counsel for the petitioner seeks time to take instructions. The learned counsel for petitioner shall take instructions whether the petitioner is ready to deposit Rs.10 Lakhs within two weeks. At the request of the learned counsel for the petitioner, S.O. to 17th August, 2020."

3. In fact, the present petition was filed to wriggle out of the order dated 18.02.2020 passed in Writ Petition No.2869/2020 by respondent no.4 wherein this Court had directed respondent no.4 to deposit Rs.10 Lakhs within three weeks. The present petitioner is a real brother of the partner of respondent no.4.

4. As the petitioner is not willing to deposit the amount as directed, writ petition stands dismissed.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE