

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

WRIT PETITION NO.1180 OF 2020
WITH
CIVIL APPLICATION NO.5100 OF 2021
IN WP/1180/2020

SHAKIB ANWARKHAN MUFIDUR RAHEMAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for the Petitioner : Shri Kawre Anand D. and Shri
Deshmukh Y P
AGP for Respondent 1 : Shri S.B.Pulkundwar
...

**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 20th July, 2021

Per Court :-

1. Respondent No.2/ Municipal Council, Paithan has been served with court notice. No appearance has been entered, either in person or through an advocate.
2. The petitioner is a retired employee of the Municipal Council. He had approached the Permanent Lok Adalat, Aurangabad in Pre-Litigation Case No.583/2017. Considering his grievance and the defence of the Municipal Council, the Permanent Lok Adalat concluded that an amount of Rs.7,65,235/- payable as retiral legal dues, have to be paid within two months and 7% interest from 01.01.2014 was granted. Yet, the Municipal Council has not complied with the said direction, inasmuch as no appearance is entered.
3. However, it cannot be ignored that Special Darkhast

No.35/2017 has been initiated by the petitioner and attachment of the property of the Municipal Council has also been directed.

4. In view of the above, we have no reason to entertain this Writ Petition since there cannot be two parallel proceedings in the same cause. Keeping in view that the petitioner is a senior citizen and a retired employee, who has every right to receive his legal dues expeditiously, we request the Executing Court to ensure that Special Darkhast No.35/2017 is decided expeditiously and in any case on or before 31.01.2022.

5. This Writ Petition is, accordingly, disposed off. The pending Civil Application does not survive and stands disposed off.

kps

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)