

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

PUBLIC INTEREST LITIGATION NO. 6 OF 2021

Rajkumar Ambulal Agrawal

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. L. V. Sangeet, Advocate for the Petitioner.

Mr. D. R. Kale, I/c. G. P. for Respondent No. 1.

Mr. A. S. Sawant, Advocate for Respondent Nos. 2 & 3.

**CORAM : S. V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : 29th September, 2021.

PER COURT:-

. Mr. Sangeet, learned counsel for the petitioner submits that though the report is submitted in December 2019, no action is taken against respondent Nos. 2 and 3 in proceedings under Section 55-A and 55-B of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (hereinafter referred to as 'Act of 1965'). The respondent Nos. 2 and 3 are required to be removed as President and Councilor of the Municipal Council, Rahata.

2. Mr. Sawant, learned counsel appears for respondent Nos. 2 and 3.

3. The learned in-charge Government Pleader on instructions submits that in the proceedings under Section 55-A and 55-B of the Act of 1965 earlier notices could not be issued because of Covid-19. Now, on 21.09.2021 notices are issued to respondent Nos. 2 and 3 to file reply and on receiving the reply opportunity of hearing would be given and then decision would be taken. The learned in-charge Government Pleader submits that the authority would endeavour to decide the proceedings under Section 55-A and 55-B of the Act of 1965 preferably within a period of three (03) months from today.

4. The learned counsel for the petitioner submits that an amount of Rs. 2,00,000/- (Rs. Two Lakh only) is deposited by the petitioner pursuant to the orders of this Court.

5. The learned counsel for the petitioner on instructions submits that out of an amount of Rs. 2,00,000/-, Rs. 50,000/- be donated to the public cause and Rs. 1,50,000/- be allowed to be withdrawn by the petitioner. Out of an amount of Rs. 50,000/-, an amount of Rs. 25,000/- be transmitted to the Government Covid Centre and remaining amount of Rs. 25,000/- be remitted to the High Court Bar Association. An amount of Rs. 1,50,000/- is allowed to be withdrawn by the petitioner.

6. Public interest litigation is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.