

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 326 OF 2021

SAYYED AYUB BASHIR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. V.P. Patil
APP for Respondent Nos. 1 to 3 : Mr. M.M. Nerlikar
Advocate for Respondent No. 4 : Mr. N.D. Batule
Advocate for Respondent No. 5 : Mr. A.S. Gandhi

**CORAM : SMT. VIBHA KANKANWADI &
RAJESH S. PATIL, JJ.**

DATE : 28th JULY, 2022.

ORDER :-

1. After disinclination is shown, learned Advocate appearing for the petitioner seeks withdrawal of the petition. There is no hurdle in allowing him to withdraw the petition. However, it is to be noted that the petitioner has no connection with the Trust and according to the learned Advocate representing the Municipal Council that the Municipal Council has been unnecessarily dragged.
2. Since we have already expressed our disinclination to grant any relief to the petitioner, we do not want to enter into the disputed facts now. The only question remains in respect of the amount of Rs. 25,000/- which was directed to be deposited by the petitioner in this Court to show his *bona fides*.
3. Learned Advocate representing the petitioner submits that the petitioner is a poor person. However, he was fighting for the cause

which was suffered by the people around the Trust property and, therefore, the entire amount be refunded to the petitioner.

4. Taking into consideration, the earlier observation that since petitioner had no connection with the Trust or the Trust property and could not have raised the objection in respect of the activities of the Trust, for taking the time of the Court, out of the amount of Rs. 25,000/- that has been deposited, amount of Rs.15,000/- be refunded to the petitioner and rest be credited to the High Court Legal Services Sub-Committee, Aurangabad.

5. The petition is disposed of as withdrawn.

(RAJESH S. PATIL, J.)

(SMT. VIBHA KANKANWADI, J.)