

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.11165 OF 2022
IN WP/11110/2014

ATHAR SALEEM AKTHAR SALEEM
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.Sk.Ashraf Mannulal Patel h/f Mr.Shaikh Faruk V. Patel, Advocate for the applicant.

Mr.S.G.Sangle, AGP for respondent/State.

Mr.S.S.Tope, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : OCTOBER 06, 2022

PER COURT :

1. On 30.09.2022, we had passed the following order :-

- "1. We requested Shri Tope, the learned Advocate, appearing on behalf of the Aurangabad Municipal Corporation, to take instructions as regards the refunding of the amount of Rs.10 lacs to the petitioner in the light of the order of this Court at paragraph NO.3, dated 05.12.2014 in Writ Petition No.11110/2014 (Athar Saleem Akhtar Saleem Vs. State of Maharashtra and others)*
- 2. List this Civil Application on 06.10.2022 in the "passing orders" category".*

2. The learned Advocate representing the Corporation has gathered instructions and submits that the amount deposited by the petitioner is in the light of paragraph No.10 of the order of this Court dated 20.01.2015 passed by this Court in WP No.11110/2014. As per the directions set out in paragraph No.10, the amount was to be deposited by the Municipal Council in a separate account and it was specifically directed that the said amount shall not be utilized for any other purpose. Mr.Tope, therefore, submits that the amount would be refunded to the petitioner within a period of 3 to 4 months.

3. We find that the above period is a bit large. When the amount was to be kept in a separate account and was not to be utilized for any purpose, the amount was just parked in a Bank account and must have accumulated some interest as per the Rules of the Bank.

4. In view of the above, the civil application is partly allowed. We direct respondent No.2 to pay the entire amount of Rs.10,00,000/- to the petitioner with whatever interest that may have accrued upon the same, pursuant to our order dated 20.01.2015.

5. The account details of the petitioner to facilitate an easy money

transfer are as under :-

Name of the account holder	:	Athar Saleem Akhtar Saleem
Name of the Bank	:	Canara Bank
Account Number	:	0233101064452
Branch	:	Shahaganj, Aurangabad
IFSC	:	CNRB0000233

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)