

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3375 OF 2021
IN
WRIT PETITION NO. 4289 OF 2021

Stri Shakti

... Applicant

Versus

Public and Health Dept. Health
Ministry and Anr.

...Respondents

NILAM
SANTOSH
KAMBLE

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NILAM SANTOSH
KAMBLE
Date: 2022.07.13
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Mr.Anil Lulla a/w Ms.Sanjana Prajapate and Mr.Nikhil Safna for
the Applicant.

Mrs.M.P. Thakur, AGP for Respondent-State.

Mr.Avinash Powar, ACB, Mumbai

Dr.Padmaja Jogewar, Joint Director of Health Services, Mumbai.

CORAM : S.V. GANGAPURWALA &
S.M. MODAK, JJ.

DATE : 7 JULY 2022

P.C:-

. It is submitted that pursuant to the order of this
Court dated 23 March 2021 the Respondents have deposited an
amount of Rs.3,34,23,100/-.

2. Under order dated 12 April 2022, in the presence of
the Officer of the ACB the Division Bench of this Court directed
the ACB to complete and conclude the enquiry upto 5 May
2022. As on date the inquiry is not concluded.

3. The affidavit is filed today. In paragraph No.4 of the affidavit filed by the Joint Director (NCD), Health Services, Mumabi, it is stated that the Anti Corruption Department has send inquiry status letter dated 26 April 2022 in which it is mentioned that the Anti Corruption Department has yet not found any mal practice or miss-appropriation in investigation. However, it is further mentioned that this statement is not final or concluded.

4. The non-applicant herein has deposited the amount as directed by this Court.

5. To balance the equity and considering the affidavit filed today, we pass the following order.

ORDER

(i) The Applicant is allowed to withdraw 50% of the amount deposited by the Respondent, on furnishing Solvent Security to the satisfaction of the Registrar.

(ii) The said withdrawal shall without prejudice to the rights and contentions of the parties and subject to the decision in the Writ Petition.

(iii) Interim Application is disposed of.

4. Place the Writ Petition on 30 August 2022.

(S.M. MODAK, J.)

(S.V. GANGAPURWALA, J.)