

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

981 WRIT PETITION NO.1995 OF 2021

**SHANTABAI SAYAJIRAO BOCAHRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Arvind G. Ambetkar
AGP for Respondent – State : Mr. P.K. Lakhotiya
Advocate for Respondent No.2 : Mr. A.P. Bhandari
Advocate for Respondent No.3 : Mr. A.G. Talhar

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**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 05-04-2023

PER COURT :

. In response to the claim put forth in the petition, respondent - Municipal Corporation has placed on record an affidavit-in-reply, paragraph no.3 of which reads thus:

“3. I say that, amount can only be refunded to the person, who has deposited the same. If respondent no.3 submits an application with the original receipt (for verification) of amount deposited with the answering respondent, proportionate amount in respect of affected portion i.e. 2 plots shall be refunded within a period of one month from the date of submission of application.”

2. In view of the above, we grant liberty to petitioner to approach respondent no. 3 along with original receipt of the amount deposited and copy of his title deed so as to process the request for refund of the amount.

3. Needless to clarify that petitioner shall be entitled for

interest at the rate of 6% per annum from the date of decision of this Court in Writ Petition No.5044 of 1999 decided on 5th March, 2015.

4. The petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP