

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.6733 OF 2022

MOH. SIKANDAR MOH. AHEMAD SIDDIKI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE DIRECTOR OF
MUNICIPAL ADMINISTRATION AND OTHERS

Advocate for Petitioners : Mr. U.R. Awate h/f Mr B.R. Kedar
AGP for Respondents 1 and 2: Mr. S.G. Sangle
Advocate for Respondents 3 and 4: Mr. V.P. Deshmukh

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 4th JANUARY, 2023.**

PER COURT :-

1. We have considered the submissions of the learned advocates for the respective parties on 3.1.2023 and today. The Municipal Council, respondent No.4 has filed an affidavit in reply, dated 4.1.2023 alongwith copies of two demand drafts, both dated 3.1.2023 for amounts of Rs.36,712/- and Rs.84,959/-, respectively. It is further assured that the remainder amounts, payable to the petitioners alongwith admissible interest, would be disbursed in three equal installments, within six months.

2. We find that the demand draft dated 3.1.2023, bearing No. 009462, has a discrepancy. In words, the amount mentioned is Rupees Eighty Four Thousand Nine Hundred Fifty Nine only. In digits, it is mentioned Rs.81,959/-. As such, this demand draft would

not be honoured in view of the remark "Not over INR. 81,959.00". The learned advocate for the Municipal Council submits that this demand draft would be returned and a fresh demand draft for an amount of Rs.84,959/- will be handed over to the learned advocate for the petitioners on or before 07.01.2023.

3. In view of the above, this petition is disposed off, with the following directions:-

- I. The Municipal Council shall pay the remainder/arrears of amounts to the petitioners alongwith admissible interest, in three equal installments, payable on 28.02.2023, 30.04.2023 and 30.06.2023.
- II. The non compliance of these directions would be considered as an aggravated contempt.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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