

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

CIVIL APPLICATION NO.11022 OF 2022 IN WP NO.6087 OF 2021

THE GRAMPANCHAYAT THROUGH IT'S GRAMSEVAK AND
ANOTHER
VERSUS
MAHARASHTRA STATE ELECTRICITY TRANSMISSION COMPANY
LTD THR IT'S EXECUTIVE ENGINEER AND OTHERS.

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Advocate for Petitioner : Mr. V B Jagtap
AGP for Respondents: Mr. S G Sangle
Advocate for Respondents : Ms Neha Kamble h/f Mr. S V Adwant for
petitioner in WP, Mr. P B Vikhe Advocate for R/4.

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CORAM : NITIN W. SAMBRE & S. G. CHAPALGAONKAR, JJ.
Dated: March 13, 2023

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PER COURT :-

1. Prayer for withdrawal of the amount is objected by the learned counsel for the respondent/original petitioner on the ground that the issue is subjudiced before this Court.
2. Considering the fact that Respondent/original petitioner is duty bound in law to pay the taxes, which are to be spend on public amenities and having regard to the settled position of law that the Court should not stay recovery of taxes, it would be appropriate in the interest of justice to grant the application. The applicant-Grampanchayat is permitted to withdraw the amount of taxes deposited by the Respondent-Maharashtra State Electricity Transmission Company Ltd., alongwith accrued interest. Application stands disposed off.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)

aaa/-