



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

989 CONTEMPT PETITION NO. 59 OF 2020
IN WP/5281/2019

SWAMI SAMARTH ENTERPRISES THROUGH PROPRIETOR A.B. NAGWADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH MANOJKUMR K SHRIVASTAVA,
THE SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. Ashwin V. Hon
Addl.GP for the respondent – State : Mr. M.M. Nerlikar
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 20 MARCH 2024

PC :

Heard.

2. By the order of which implementation is being sought, the petitioner who was awarded a contract for excavation of sand was waiting for the refund and his application was directed to be decided on its own merits.

3. The learned AGP points out that decision on the petitioner's application was taken long back and even an amount of Rs.36,61,538/- was refunded to him.

4. Learned advocate for the petitioner would point out that in a similar matter, a Division Bench at the Principal Seat in a contempt proceeding only, directed interest to be paid for delayed refund.

5. We cannot go into the aspect which is now being sought to be relied upon in respect of the order passed in some unconnected matter at Principal Seat.

6. The impugned order merely directed the respondents to take a decision on the petitioner's application seeking refund. That has been done and the money has been refunded. Nothing survives.

7. Contempt petition is disposed of.

8. It would always be open for the petitioner to agitate a fresh grievance independently.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/