



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7845 OF 2024
IN WP/3924/2019
WITH
CIVIL APPLICATION NO. 7847 OF 2024
IN WP/3924/2019

SAPNA POLYWEAVER PVT. LTD AND ANOTHER
VERSUS
THE GRAMPANCHAYAT VILLAGE PANCHAYAT AND OTHERS

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Mr. S. V. Adwant, Advocate for Applicants
Mr. R. S. Wani, AGP for the Respondents-State
Mr. A. A. More, Advocate for Respondent Nos. 1 and 2 in WP

WITH
CIVIL APPLICATION NO. 6783 OF 2023
IN WP/3924/2019
WITH
CIVIL APPLICATION NO. 4410 OF 2024
IN WP/3924/2019
WITH
CIVIL APPLICATION NO. 4413 OF 2024
IN WP/3924/2019

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 23rd August, 2024

ORDER:

1. Insofar as Civil Application No.7845/2024, seeking amendment, the same is allowed. Amendment be carried within two weeks.

2. Insofar as the Civil Application No.7847 of 2024, wherein the recovery of Rs.21,76,712/- is sought to be challenged, we have heard the learned Advocate for the respective sides. We have perused the

order passed by this Court dated 22nd March, 2019, by which the Petitioner was directed to deposit Rs.10 lakhs in this Court. The said order has been complied with.

3. Considering the law laid down in **M/s Shewalkar Developers Ltd. Vs. Rupee Co-operative Bank Ltd., reported in 2016 (1), Mh. LJ. 382**, the Petitioner shall deposit an amount of Rs.11 lakhs in this Court, on or before 13th September, 2024. On the condition of depositing the said amount, the Grampanchayat would not initiate coercive steps for recovery of the remainder amount mentioned in the impugned notice.

4. Liberty to the Grampanchayat to file an additional affidavit in reply keeping in view the proposed amendment.

5. Keeping in view Section 124(5) of the Maharashtra Village Panchayat Act, we would consider, whether the Petitioner has a statutory efficacious remedy provided in law. All contentions of the parties would be considered.

6. If the Grampanchayat moves an application for withdrawal of the amount deposited by the Petitioner in this court, the same would be considered on its own merits.

7. In view of the above, by consent of the parties, **Civil Application Nos. 7845 of 2024, 7847 of 2024, 4410 of 2024, 4413 of 2024 and 6783 of 2024, stand disposed off.**

8. List this Petition on 19.09.2024.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan