

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO.7696 OF 2015 IN  
WRIT PETITION NO.4797 OF 2004

JUGALKISHOR CHAGANLALJI TAPDIYA

APPLICANT

VERSUS

RAYAJI NATHA AUTADE AND OTHERS

RESPONDENTS

Mr.R.R.Mantri, Advocate for the applicant.

Mr.V.D.Salunke, Advocate for respondent Nos. 1 and 2.

Mr.D.V.Tele, AGP for respondent Nos.3 to 8 and 10.

Mr.N.R.Bhavar and Mr.Mobin Shaikh h/f Mr.V.R.Dhorde, Advocate for respondent No.9.

Mr.R.S.Deshmukh, Advocate for respondent No.10 in Writ Petition.

Mr.V.D.Sapkal, Advocate for respondent Nos.9 and 11 in Writ Petition.

Mrs.A.S.Rasal, Advocate for respondent No.13 in Writ Petition.

( CORAM : RAVINDRA V. GHUGE, J.)

DATE : 15/01/2016

PER COURT :

1. The applicants prays for refund of the amount of Rs.5,00,000/- deposited with the tendering authority alongwith accrued interest.

It is further stated that considering the dispute with regard to the property at issue, the applicant does not desire to proceed to compete in the tendering process.

2. Learned Advocates for the non-applicants submit that they have no objection for allowing the applicant to withdraw the amount

as he is not interested in the said property. Mr.Salunke, learned Advocate submits that as per the conditions applicable to the tenderers, any refund of amount does not carry any interest. Mr.Mantri, therefore, responds by stating that the applicant be allowed to withdraw Rs.5,00,000/- and the issue of interest be kept open to be considered on a later date.

3. In the light of the above, Rs.5,00,000/- be returned to the applicant by the competent authority.

4. Non applicants are at liberty to file an affidavit in reply and point out the conditions set out in the tender proclamation. The issue of interest will, therefore, be considered after hearing the litigating sides.

5. Stand over to 29/01/2016.

( RAVINDRA V. GHUGE, J.)