

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1206 OF 2015

Gangakhed Sugar & Energy Limited

Petitioner

Versus

The Government of India and others

Respondents

Mr.V.D.Hon, Sr. Advocate h/f
Mr.M.V.Nagargoje advocate for the petitioner
Mr.S.S.Tope, GP for Respondent Nos.2 & 3
Mr. S.B.Deshpande, A.S.G for respondent No.1

CORAM : R.M. BORDE &

P.R. BORA, JJ

Dated : 9th February, 2015.

PER COURT :-

1 Earlier Writ Petition No.11122 of 2014 on similar grievance was presented by one Manjra Shetkari Sahkari Sakhar Karkhana Limited. The Division Bench of this Court disposed of the petition with following observations.

" (3) It is not in dispute that, the petitioner has not made any representation and crushing season has already started. Only explanation given for delayed approach is in paragraph No.14 of the writ petition, which reads as under:-

" Although impugned order is dt.14/2/2014, thereafter the matter was considered by the Committee of the Ministries on 31/7/2014 based on which Hon'ble Chief Minister issued directions that FRP fixed by virtue of impugned order is required to be paid. Thereafter in order to collect date of file instant petition certain time was consumed.

Thus, basically there is no delay to file instant petition, however, delay if any, needs to be condoned in the interest of justice. If delay is not condoned, then the petitioner would be put to inconvenience and hardship and may lose its right to challenge impugned order. "

(4) We find the reason insufficient. We are not inclined to take cognizance of such dispute for the first time in writ jurisdiction. Writ Petition is dismissed. No costs. "

2 The petitioner contends that he has already made representation to the secretary, Govt. of India on 22.12.2014 and no cognizance thereof is taken.

3 Without entering into the merits of the contentions raised by the petitioner, we deem it appropriate to dispose of this petition with directions to Secretary, Govt of India to consider the representation and pass appropriate orders, as deemed necessary, on consideration of merits of such contentions, as expeditiously as possible and preferably within a period of eight weeks from today.

4 With the direction as above, writ petition is disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)