

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

WRIT PETITION NO.5551 OF 2008

Somaiya Organo Chemicals
(A unit of Godavari Sugar Mills Limited)
At Sakharwadi, Tq. Kopargaon,
District Ahmednagar – 413 708
through Mr. B.M. Palve,
Senior Manager, Age 49 years,
Occ. Service, R/o Sakharwadi,
Tq. Kopargaon, Dist. Ahmednagar ... PETITIONER

VERSUS

1. The State of Maharashtra
 through the Secretary,
 Department of Energy,
 Having its office at Mantralaya,
 Mumbai.
2. The Chief Engineer,
 Government of Maharashtra,
 Having its office at :
 PW & H Department,
 Administrative Building, 3rd Floor,
 Ramkrishna Chemburkar Marg,
 Chembur, Mumbai – 400 071
3. The Electrical Inspector,
 PMT Commercial Building No.1,
 3rd Floor, Swargate,
 PUNE – 411 042. ... RESPONDENTS

.....
Shri V.D. Hon, Senior Counsel for the petitioner
Mrs. M.A. Deshpande, A.G.P. for State
.....

CORAM: S.V. GANGAPURWALA AND
 A.I.S. CHEEMA, JJ.

DATED: 25th March, 2015.

ORAL JUDGMENT (Per S.V. Gangapurwala, J.):

1. By way of present writ petition, challenge is made to the notifications dated 1.4.2000, 4.4.2001 and 6.7.2001. Mr. Hon, learned Senior Counsel submits that, the issue involved in the present writ petition is no longer res integra in view of the judgment of this Court at its principal seat at Bombay in Writ Petition No.7453/2007 with connected writ petitions, dated 7.11.2009 so also the judgment dated 5.10.2009, in Writ Petition No.6414/2000 with other connected writ petitions.

2. We have heard the learned A.G.P. also.

3. The issue involved in the present Writ Petition and the writ petitions referred supra is similar. The same notifications were subject matter of challenge in the said writ petitions.

4. For the reasons recorded in the judgments delivered in the aforesaid writ petitions, the present writ petition also

stands disposed of in terms of the orders passed in the
aforereferred writ petitions. It is submitted that the petitioner
has not deposited the amount, as such, no question arises of
respondents refunding the amount to the petitioner. The
recovery against the petitioner for a period 1.4.2000 to
30.4.2005 pursuant to the impugned notification at the rate of 15
paise as was claimed, shall not be made. Rule accordingly made
absolute in above terms. No costs.

(A.I.S. CHEEMA, J.)

(S.V. GANGAPURWALA, J.)