

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2143 OF 2013

Brashtachar Virodhi Jan Andolan Nyas. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents

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Shri Vishwajeet V. Mohite for the Petitioner.
Mrs. M.P. Thakur, AGP for Respondent Nos.1 to 4.
Shri Bhushan Walimbe i/by Mrs.Preeti B. Walimbe for Respondent No.5.
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CORAM : A.S. OKA & A.K.MENON, JJ
DATED : 25TH FEBRUARY 2015

PC.

. Perused the affidavit of Shri Ramesh Shivaji Chavan, the District Supply Officer, Solapur dated 4th December 2014. A copy of the order dated 30th August 2014 passed by the District Supply Officer, Solapur as well as a copy of the order dated 10th September 2014 passed by the State Government have been annexed to the said affidavit. These two orders show that the steps have been taken by the State Government to recover the amount of Rs.13,63,500/-.

2. The learned counsel appearing for the Petitioner has tendered an additional affidavit of the Petitioner in which it is stated that the order dated 30th August 2014 as modified by the order dated 10th September 2014 has been challenged in a separate petition.

3. The Petitioner is relying upon in this Petition the order dated 23rd February 2010 passed by this Court in the Letters Patent Appeal No.37 of 2010. In view of the aforesaid orders, now there is a substantial compliance with the said order.

4. Therefore, the prayer clause (b) is substantially worked out. As far prayer clause (c) is concerned, we find that this is not a case of willful disobedience of the order of this Court dated 23rd February 2010. Hence, it is not necessary to keep this Petition pending.

5. Notwithstanding the orders which are passed by the Respondents, if the actual recovery of the amount is not made, the Petitioner can always initiate appropriate proceedings in that behalf.

6. By accepting the statements made in the affidavit of the District Supply Officer referred to above, we dispose of this Petition.

(A.K.MENON, J)

(A.S. OKA, J)