

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5873 OF 2013

Swami Samarth Sahakari Sakhar Karkhana Ltd. .. Petitioner

Vs

Union of India and Others. .. Respondents

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Shri Suhas S. Inamdar for the Petitioner.

Mrs. M.P.Thakur, AGP for the Respondent No.3.

Mrs. Neeta Masurkar along with Shri Parag Vyas, Shri Ashok R. Varma, Ms. Nisha Valani, Shri Y.R.Bhate, Shri H.V. Mehta, Shri D.P. Singh, Shri Y.R. Mishra, Shri N.R. Prajapati and Shri Advait M. Sethna for the Union of India.

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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 14TH AUGUST 2015

PC.:

. The learned counsel appearing for the Petitioner has placed on record a letter dated 30th July 2015. It records that in terms of the order dated 28th April 2015 passed by the Director of Sugar, the Petitioner has agreed to deliver the levy sugar of quantity of 30787 Quintals. The said letter dated 30th July 2015 is addressed by the Petitioner to the Director of Sugar, Government of India, Department of Food & Public Distribution. It is taken on record and marked "X" for identification.

2. Hence, we dispose of the Petition by passing the following order:-

ORDER :

- (a) We direct the Union of India to take further steps on the basis of the order dated 28th April 2015 passed by the Chief Director (Sugar) by extending the validity period and by appointing a nominee;
- (b) We grant time of two months to the Union of India to ensure that the levy sugar quantity of 30787 Quintals is taken from the Petitioner and the price is paid of the said levy sugar to the Petitioner;
- (c) If the Union of India fails to ensure that the levy sugar of the aforesaid quantity is lifted and payment of price is paid within a period of two months from today, it will be open for the Petitioner to file a fresh Petition in this Court for claiming appropriate reliefs;
- (d) The Petition is disposed of on above terms.

(REVATI MOHITE DERE, J)

(A.S. OKA, J)