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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7630 OF 2013

Setu Charitable Trust ... Petitioner

Versus

State of Maharashtra and anr. ... Respondents

Mr. Sandeep Jinsiwale for the petitioner.

Mr. V.S. Gokhale, AGP for the respondent no. 1.

Mr. V.K. Wasnik for the respondent no. 2.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.
DATED : 30th OCTOBER, 2015**

P.C. :-

1. Heard learned counsel for the petitioner and the learned counsel for the second respondent.

2. We have perused the affidavit of Mr. Pravin Bansode on behalf of the second respondent. The dispute raised in this petition is a contractual dispute. For deciding the dispute, the adjudication of the disputed questions of facts will be necessary. Therefore, in our view, this is not a fit case where writ jurisdiction under Article 226 of the Constitution should be allowed to be invoked by the petitioner. We therefore, decline to entertain this petition. The Petition is disposed of with a liberty to the petitioner to adopt

appropriate remedy in accordance with law. If appropriate remedy is adopted, the concerned Court will take a note of the fact that this petition was filed on 10th May, 2013 and the same remained pending in this Court till today. All the contentions on merits are kept open.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)