

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9166 OF 2013

Maharashtra State Electricity Distribution
Company Limited .. Petitioners

vs.

M/s. Sharda Constructions &
Investment Co. and anr. .. Respondents

WITH

WRIT PETITION NO.9149 OF 2013

Maharashtra State Electricity Distribution
Company Limited .. Petitioners

vs.

M/s. Sharda Erectors Pvt. Ltd. and anr. .. Respondents.

Mr. Shardul Singh a/w. Rahul Sinha i/b DSK Legal for the
Petitioners in both petitions.

Mr. Pranav Sampat a/w. Ms Akriti Sarkari i/b Khaitan & Co. for
Respondent No.1 in both petitions.

CORAM : M. S. SONAK, J.

DATE : 4 MARCH, 2015

P.C. :-

1] Both these petitions are disposed of by following common
agreed order:

(a) The impugned orders dated 11 March 2013 and 5 April
2013 respectively are set aside;

(b) The appeals instituted by respondent No.1 before the
Appellate Authority are restored. The Appellate Authority is
directed to rehear and decide the same, in accordance with
law and on their own merits;

(c) The interim order made in favour of respondent No.1 during pendency of the said appeals, is restored and the same shall operate until the final disposal of the appeals;

2] It is clarified that this Court has not gone into the merits of the matters and accordingly, all contentions of all parties are kept open for decision by the Appellate Authority.

3] The Appellate Authority shall dispose of both the appeals instituted by respondent No.1, within a period of six months from today.

4] Parties to appear before the Appellate Authority on 18 March 2015 at 11.00 a.m. in order to obtain directions for disposal of the appeals.

5] All parties to act upon an authenticated copy of this order.

6] Both the petitions are disposed of in the aforesaid terms. There shall be no order as to costs.

(M. S. SONAK, J.)