

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1487 OF 2013

Indiabulls Power Limited

.... Petitioner

Vs.

The State of Maharashtra & Ors.

.... Respondents

Mr. Ashish Kamat with Ms Devika Deshmukh and
Mr. Deepan Dixit i/b Kartikeya & Associate for the
Petitioner.

Mr. Anil Singh, Advocate General with Ms Geeta Shastri,
Addl.GP for Respondent No.1.

Mr. S.A. Jagtap with Mr. Sunil Kadam for Respondent
Nos.4 to 6.

CORAM: A.S. OKA &
REVATI MOHITE DERE, JJ.

DATED: AUGUST 03, 2015

P.C:

1. This petition was placed before this Court on 28-7-2015 on the basis of an administrative order passed by the Hon'ble the Chief Justice. On 28-7-2015, we had called upon the petitioner to satisfy the Court as to why this petition was not filed at the Bench at Nagpur. Today the learned counsel appearing for the petitioner seeks time to address the Court on this issue.

2. We find that the Agreement dated 22-5-2012 was executed by and between the petitioner and the State Government at Amravati. The Agreement was for water supply to the Thermal Power Plant of the petitioner at Amravati. The impugned letter of demand dated 4-2-2013 was issued at Amravati on the basis of a decision of the State Government. It appears to us that only because the petitioner is having one of its offices at Mumbai (not the registered office) and that the orders were passed by the State Government having its seat at Mumbai, that the present petition has been filed in this Court and that also on the Original Side.

3. We decline to grant time to the petitioner for consideration of the aforesaid issue. In our view, this petition ought to have been filed at the Bench at Nagpur. We, therefore, return this petition to the Advocate for the petitioner for presentation at the Bench at Nagpur. To enable the petitioner to present the petition at the Bench at Nagpur, the ad-interim relief granted by this Court on 17-6-2014 will continue to operate for a period of one month from today.

(REVATI MOHITE DERE, J.)

(A.S. OKA, J.)