

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO.97 OF 2014**

**M/s. Shri Maruti Rice Industries, thr its Prop. Sow. Savita J.  
Agrawal, Gadchiroli**

**..vs..**

**The State of Mah., thr Secretary, Ministry of Coal & Energy,  
Mantralaya, Mumbai and anr**

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders  
.....

Court's or Judge's order

**Shri S.G. Karmarkar, Counsel for the Petitioner.  
Shri D.N. Kukday, Counsel for R-2.  
AGP for R-1.**

**CORAM : B.P.DHARMADHIKARI &  
A.P.BHANGALE, JJ.  
DATE : FEBRUARY 20, 2015.**

**Heard.**

The petitioner who was receiving coal from respondent No.2 wants refund of security deposit.

Respondent No.2 submits that as a part of grant of coal linkage, certain obligations were imposed upon the petitioner. The petitioner accordingly has to show how the coal was

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consumed by producing necessary documents. The petitioner has still not supplied the same.

After hearing learned counsel for the respective parties, we find that the association of the petitioner made a demand for refund of security deposit. Respondent No.2, thereafter, had a meeting with representatives of said association and certain documents have been asked for. The security deposit was obtained with particular purpose. The petitioner has to show that the coal procured by them was properly used. Upon such satisfaction, respondent No.2 may consider refund of entire or partial amount of security deposit.

Shri S.G. Karmarkar, learned counsel for the petitioner, states that the petitioner will supply those documents within two weeks to respondent No.2.

If such documents are received, respondent No.2 shall evaluate the same and take suitable decision upon it within next four weeks. If the petitioner is found entitled to any amount, same shall immediately be returned to

him.

Acceptance of such amount shall not preclude petitioner from challenging correctness of exercise undertaken.

With these directions and keeping all rival contentions about it open, we dispose of the writ Petition. No costs.

JUDGE

JUDGE

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