

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

Writ Petition No. 5860 of 2013

M/s. Akshata Enterprises,
A Proprietary Firm
Through its Proprietor,
Raju s/o. Gulabrao Chavan,
Age : 38 years,
Occupation : Business,
R/o. L-5, Suyojit Trade Center,
Opposite Nashik Municipal Corporation,
Sharanpur Road, Nashik.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai.
2. The Hon'ble Minister,
Revenue and Forest Department,
Mantralaya, Mumbai.
3. The Collector, Nandurbar,
Taluka & District : Nandurbar.
4. The Additional Collector,
Nandurbar,
Taluka & District : Nandurbar.
5. The Tahsildar,
Shahada, Taluka : Shahada,
District : Nandurbar.
6. The Additional Commissioner,
Nashik Division, Nashi.

.. Respondent no.2
deleted.

.. Respondents.

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With

Writ Petition No. 6076 of 2013

M/s. Akshata Enterprises,
A Proprietary Firm
Through its Proprietor,
Raju s/o. Gulabrao Chavan,
Age : 38 years,
Occupation : Business,
R/o. L-5, Suyojit Trade Center,
Opposite Nashik Municipal Corporation,
Sharanpur Road, Nashik.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai.
2. The Hon'ble Minister,
Revenue and Forest Department,
Mantralaya, Mumbai.
3. The Collector, Nandurbar,
Taluka & District : Nandurbar.
4. The Additional Collector,
Nandurbar,
Taluka & District : Nandurbar.
5. The Tahsildar,
Shahada, Taluka : Shahada,
District : Nandurbar.

.. Respondent no.2
deleted.

.. Respondents.

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With

Writ Petition No. 6081 of 2013

M/s. Immortal Infrastructure Private
Ltd., having its office address
at 304, 305, Space Star, Tidke Colony,
MAHYCO Circle, Nashik,
Through its Authorized Person
Milind s/o. Pundlik Bhargav,
Age : 36 years,
Occupation : Service,
R/o. Plot No.11, Icchamani Colony,
Khode Mala, Nashik.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai.

2. The Hon'ble Minister,
Revenue and Forest Department,
Mantralaya, Mumbai.

.. Respondent no.2
deleted.

3. The Collector, Nandurbar,
Taluka & District : Nandurbar.

4. The Additional Collector,
Nandurbar,
Taluka & District : Nandurbar.

5. The Tahsildar,
Shahada, Taluka : Shahada,
District : Nandurbar.

.. Respondents.

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*Mr. R.N. Dhorde, Senior Advocate, holding for
Mr. V.R. Dhorde, Advocate, for the petitioners.*

*Mr. A.P. Basarkar, Asst. Government Pleader, for
the respondents.*

*Respondent no.2 deleted as per Court's order
dated 30-7-2013.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 25TH JANUARY 2016

PER COURT :

1. We have heard Mr. Dhorde, the learned Senior Counsel for the petitioners. The learned Senior Counsel has taken us through the orders of the Collector as well as the Divisional Commissioner.
2. Mr. Basarkar, the learned Asst. Government Pleader for the respondents, submits that with regard to the extension of contract, so also refund of the amount, jurisdiction vests with the State Government. The petitioners have not approached the State Government in that regard.
3. In the light of the above submission of the learned Asst. Government Pleader, Mr. Dhorde, the learned Senior Counsel submits that the petitioners would approach the State Government seeking relief either for extension of contract or for refund of the amount.
4. In that view of the matter, the petitioners may move the State Government for extension of contract or refund of amount, as the case may be, which application would be considered by the State / Authority concerned, on its own merits, in accordance with relevant Rules and policy

of the State, as expeditiously as possible and preferably within a period of three months from the date of filing such application.

5. With these observations and directions, the Writ Petitions are disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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