

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 9221 OF 2011
WITH WP/9176/2011 WITH CA/3441/2012 IN WP/9176/2011 WITH
WP/9302/2011 WITH CA/2433/2012 IN WP/9302/2011

WALUJ INDUSTRIES ASSOCIATION AURANGABAD THR PRESIDENT AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND AND ORS

...
Advocate for Petitioners : Mr. Sachin Dankh
AGP for Respondent Nos. 1 to 3 : Mr. B.V. Virdhe.
Advocate for respondent Nos. 4 to 7 : Mr. S.S. Dande.

With

WRIT PETITION NO. 9303 OF 2011
WITH CA/2488/2012 IN WP/9303/2011

RADICO NV DISTILLERIES MAHARASHTRA LTD.
VERSUS
THE STATE OF MAH AND ANR

...
Advocate for Petitioner : Mr. P.K. Joshi
AGP for Respondents: Mr. S.M. Ganachari.
Advocate for respondent No.2 : Mr. S.S. Dande.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 1ST AUGUST , 2016.

PER COURT:

- 1] The petitioners in all these writ petitions assail the orders and the circulars thereby directing the petitioners to pay the Water Charges, as demanded.
- 2] We have heard Mr. P.K. Joshi and Mr. Sachin Dankh for respective petitioners and Mr. Dande, Advocate for the respondent MIDC.
- 3] It is submitted that the petitioners use water as raw material

and the charges have been revised w.e.f. 1st November, 2001. Petitioners were also advised to pay the difference for the period preceding 1st October, 2011.

4] The learned counsel for the petitioners have canvassed submissions, however, Mr. Dande, learned counsel for the respondents points out the judgment of the Division Bench of this Court delivered at its Principal Seat at Bombay, in W.P. No. 2683 of 2012, wherein, similar challenge as made in the present writ petitions is negated and the report of NEERI has been accepted.

5] For the reasons stated in the said judgment dated 1st October, 2012, in W.P. No. 2683 of 2012, the present Writ Petitions also stand disposed of, thereby negating the challenge raised by the present petitioners. It is submitted that the petitioners have reduced the intake of water as raw material by advanced techniques. The petitioners in that case, may make a representation with the respondent which shall be considered by the respondent on its own merits, in accordance with law. Writ petitions are accordingly disposed of. No costs. In view of the disposal of the writ petitions, civil application, if any, also stands disposed of.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-