

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.1 OF 2016

M/s. Vijay Construction Company,
Ambajogai, Through its partner,
Shri. Udaysinh Jagmohansinh Dikhat

...PETITIONER

VERSUS

The State of Maharashtra
Through the Secretary,
Public Works Department,
Mantralaya, Mumbai
and Others.

...RESPONDENTS

...

Mr. P. R. Katneshwarkar, Advocate for
Petitioner.
Mr. A.B. Girase, Government Pleader for
Respondents.

...

**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 8TH MARCH, 2016

ORDER :

1. Mr. Katneshwarkar, learned counsel for the
Petitioner states that the amount as detailed in

the Annexure attached with the Petition, is payable by the Respondents and the same is not disputed.

2. Mr. Girase, learned Government Pleader submits that whatever legitimate amount is due and payable to the Petitioner, the Respondents would pay the same after the funds are received. The demand is already made to the State Government thereby seeking funds. On receipt of funds, payments will be made.

3. It appears that the Respondents admit payment of some amount to the Petitioner as would be clear from the letter Exhibit R-3. The only reason stated is that the funds are not available and whenever the funds would be made available by the Government, the same would be utilized for payment of bills to the Petitioner.

4. The Respondents shall make payment to the

Petitioner of the legitimate amount due and payable to the Petitioner expeditiously, preferably within NINE MONTHS.

5. Writ Petition stands disposed of. No costs.

[A.I.S.CHEEMA, J.]

asb/MAR16

[S.V. GANGAPURWALA, J.]