

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO.14 OF 2016
IN
WRIT PETITION NO.10072 OF 2004

M/s. Hemant Brothers.	..	Review Petitioner (Org. Petitioner)
Vs.		
The State of Maharashtra and Others.	..	Respondents
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Ms. Veena Thadhani for the Petitioners.		
Mrs. M.P. Thakur, AGP for the Respondents.		
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CORAM : A.S. OKA & C.V. BHADANG, JJ
DATED : 25TH JANUARY 2016

PC.

1. Heard learned counsel appearing for the Petitioner. The learned AGP seeks time. The Petitioner in the Review Petition is the Writ Petitioner. The Writ Petition was admitted by an order dated 25th July 2005 and the interim relief was granted by this Court. The same Writ Petition was listed along with the connected matters on 13th August 2014 for hearing as to interim relief along with the other connected matters. The interim relief was granted on 13th August 2014 by the common order. At that time, it was not pointed out that in Writ Petition No.10072 of 2004, the prayer for interim relief was already disposed of by an order dated 25th July 2005. We have perused the Farad Sheet of the main Writ Petition. We find that the order of interim relief dated 25th July 2005 still continues to remain in force and the same is neither

vacated nor modified. As the interim relief was granted in Writ Petition on 25th July 2005, another interim order could not have been passed in the same Writ Petition on 13th August 2014. Hence, to that extent, the order dated 13th August 2014 will have to be clarified. Accordingly, we dispose of the Review Petition by passing the following order:

ORDER :

- (a) We clarify that the order dated 13th August 2014 will not operate as interim relief in Writ Petition No.10072 of 2004 and the interim relief granted on 25th July 2005 in the said Writ Petition will continue to operate till the disposal of the Writ Petition;
- (b) Subject to the right of the Respondents of making an application for modification and/or clarification of the interim relief, the Review Petition is accordingly disposed of.

(C.V. BHADANG, J)

(A.S. OKA, J)