

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11586 OF 2016

M/s Nandkumar Construction, Satara	... Petitioner
v/s	
State of Maharashtra and others	...Respondents

Mr A.V. Anturkar, Sr. Counsel i/b Mr Tanaji Mhatugade for Petitioner.
Ms Rupali M. Shinde, AGP for State.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.**

DATE : OCTOBER 13, 2016

PC.:

. Not on board. Upon mentioning taken on board.

2. Heard parties through their counsel.

3. Feeling aggrieved by the order dated 27th September 2016 (Exhibit.'E' to the Petition) by which it has been alleged that the Petitioner has changed the Dryer Drum Assembly and as a result, his Certificate dated 11th July 2016 turns to be invalid, the Petitioner has filed this Petition.

4. According to the learned Senior Counsel for the Petitioner, the Petitioner had submitted representation pointing out the aforesaid to the Respondent No.6 – The Superintendent Engineer, PWD Circle, Satara, but till date, no decision has been taken on the said representation.

5. Today, the only prayer made by the learned Senior Counsel appearing for the Petitioner is to dispose of the Petition by directing the Respondent No.6 to consider the Petitioner's grievance as reflected in the representation dated 28th September 2016 (Exh.'F' to the Petition) and take appropriate decision after going through the said representation and after viewing the said photographs and the C.D. of the video shooting.

6. On the other hand, the learned Assistant Government Pleader, though had supported the impugned decision but stated that the Petitioner's representation as aforesaid shall be considered and appropriate decision will be taken by the Respondent No.6.

7. Keeping in view the aforesaid submissions, we direct the Respondent No.6 to examine the Petitioner's grievance and take fresh decision after viewing the C.D. of the video shooting and photographs. Needless to state that we have not expressed any opinion on the merits of the Petitioner's contention and the Petitioner shall comply with the aforesaid direction within 10 days from the date of receipt of copy of this order.

8. With the aforesaid directions, the Petition is disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)