

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

WRIT PETITION NO.12309 OF 2015

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mr. A. A. Kumbhakoni, Senior Advocate i/b. Mr. Akshay P. Shinde, Advocate for the Petitioner.
Mr. V. S. Gokhale, AGP for the Respondents.

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**CORAM : A.S. OKA AND
C.V. BHADANG, JJ.**

DATED : JANUARY 27, 2016.

P.C.

Not on Board. Taken on Board.

2 The petition was listed on 21st January, 2016, when the same was adjourned to enable the learned AGP to take instructions. He states that he has not received any instructions.

3 The learned senior counsel appearing for the petitioner invited our attention to the letter dated

25th August, 2015 (Exhibit-P to the petition). He submits that by addressing the said letter to the Secretary of the Public Works Department, the petitioner has invoked Sub-clause (3) of Clause 30 of the agreement, after taking recourse to Sub-clauses (1) and (2) of Clause 30.

3 The grievance is that there is no action taken by the Secretary, Public Works Department on the basis of the said letter at Exhibit-P to the petition.

4 Hence, we dispose of the petition by passing the following order:

:: ORDER ::

- (i) We direct the representative of the petitioner to appear before the Secretary of the Public Works Department on 8th February, 2016 at 3.00 p.m. The representative of the petitioner shall produce an authenticated copy of the order as well as a true copy of Exhibit-P to the petition.

- (ii) We direct the Secretary, Public Works Department to pass appropriate order on the letter Exhibit-P to the petition, as expeditiously as possible and, in any event, on or before 31st March, 2016.
- (iii) All contentions on merits are kept open.
- (iv) All concerned to act upon an authenticated copy of this order.

(C. V. BHADANG, J.)

(A.S. OKA, J.)