

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 2688/2015.

M/s. Sai Wardha Power Limited, Chandrapur.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
KUM. I.K. JAIN, JJ.

DATE : JUNE 06, 2016.

Heard Shri N.A. Padhye, learned Counsel
for the petitioner, Ms. P. Rane, learned A.G.P. for
respondent no.1, Shri S.V. Sirpurkar, learned Counsel
for respondent nos. 2 and 3 and Shri M.M. Sudame,
learned Counsel for respondent no.4.

2. Petitioner claims an agreement with
respondent no.2 under Section 125 of the Maharashtra
Village Panchayat Act, 1958 for the period from
01.04.2012 till 31.03.2015.

3. The agreement needs to be considered by
the State Government under Section 125[1] of the
aforesaid Act, however, the application dated

2

09.03.2015, moved by the petitioner for said purpose has been returned back by the State Government on 24.06.2015 pointing out that the said power is to be exercised by the Divisional Commissioner i.e. respondent no.5.

4. In this situation, we find that interest of justice can be met with by directing the petitioner to forward the said agreement with necessary application to the office of respondent no.5 within a period of four weeks from today. If such an application and agreement is received by respondent no.5, respondent no.5 shall proceed to hear the petitioner as well as respondent no.2 and take a suitable decision on the controversy, within next four weeks.

5. With these directions and keeping all rival contentions open, we dispose of this petition. No costs.

JUDGE

JUDGE

Rgd.