

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.2134 OF 2014
(Gajanan Sahakari Sakhar Karkhana Ltd., Vs. The State of
Maharashtra and others)

IN
WRIT PETITION NO.8943 OF 2013

Mr.Y.G.Gujrathi, AGP for the State.

(CORAM : RAVINDRA V. GHUGE AND
SUNIL K. KOTWAL, J.J.)

DATE : 05/12/2017

PER COURT :

1. By this application, the applicant prays for clarification from this Court with regard to the order passed on 24/10/2013.

2. None for the applicant.

3. Instead of rejecting this application in default, we have considered the contentions of the applicant set out in the memo of the application. It is stated that the petitioner had instructed the learned Advocate to withdraw the petition apprehending that if the writ petition will be dismissed, it would come in way of the petitioner while pursuing the alternate remedy u/s 91 of the M.C.S.Act.

4. We have gone through our order dated 24/10/2013. Nowhere has a statement of the learned Advocate for the petitioner recorded that, the petitioner desires to withdraw this petition for resorting to an alternate remedy. We find from the order that the petition was considered on its merits and the same was dismissed.

5. Considering the above, this application is without merit and stands rejected.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)