

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4872 OF 2014

Ghatge Logistics Pvt. Ltd., .. Petitioner.
v/s.
The State of Maharashtra
through the Collector, Kolhapur
& Others .. Respondents.

Mr. Akshay Pawar, for the Petitioner.
Mrs. Vrushali Nimbalkar, AGP, for Respondent-State.

CORAM: M.S.SANKLECHA, J.
DATE : 18th SEPTEMBER, 2017.

P.C:-

This Petition under Article 227 of the Constitution of India, challenges the order dated 14th February, 2014 passed Civil Judge, Senior Division, Kolhapur. By the impugned order, the Petitioner's application, seeking a stay of its Suit being RCS No. 735 of 2004 till the disposal of the Writ Petition No. 5733 of 2010, filed by it in this Court, challenging an award is finally disposed.

2 The Plaintiff has filed a suit, seeking an injunction, restraining the Respondent Nos. 1 to 4 (State Government) from disbursing any amount of compensation as determined to Respondent No.5.

3 The impugned order dated 14th February, 2014 records the

fact that the Petition is merely seeking a stay of the suit on the basis of Writ Petition No.5733 of 2010. However, in spite of the order dated 27th June, 2012 passed by the Trial Court, directing the Petitioner to give progress report of the Writ Petition No.5733 of 2010 within a period of one month, the Petitioner failed to do so. In fact, till the date, the impugned order was passed, the Petitioner did not submit any details and/or order granting a stay of the award. In the light of the above, application to stay to the Suit No.735 of 2014, was rejected.

4 Therefore, no fault can be found with the impugned order dated 14th February, 2014 for exercise of any supervisory jurisdiction under Article 227 of the Constitution of India.

5 **Petition dismissed.** No order as to costs.

(M.S.SANKLECHA,J.)