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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10883 OF 2016**

M/s.Sapthagiri Constructions Co.

... Petitioner

Vs.

State of Maharashtra and Ors.

... Respondents

.....

Mr. Tanaji Mhatungade for the Petitioner.

Ms. Aparna Vhatkar, AGP for Respondent nos. 1 and 2.

.....

CORAM : A.S. OKA & A.K. MENON, JJ.**DATE : 27th MARCH, 2017****P.C.**

1. Heard learned Counsel appearing for the petitioner and learned AGP for the respondent nos. 1 and 2.

2. In terms of prayer clause (A), the grievance of the petitioner is about non compliance with the directions contained in clause (III) and (IV) of paragraph 4 of order dated 24th November, 2015 passed by this Court in Writ Petition No. 9604 of 2014. The clauses (III) and (IV) read thus :

“(III) The letter at Exh.E shows that the petitioner has taken recourse to clause 24 which provides for dispute redressal mechanism. Clause 24 has been invoked by the petitioner by making an application to the respondent no. 4;

(IV) We direct the respondent no. 4 to consider the application made by the petitioner for invoking clause 24 of the agreement

and take appropriate action thereon in accordance with the terms and conditions of the agreement;”

3. Today, an affidavit has been filed by Mr.Rajarampuri M. Gosavi, Superintending Engineer, Pradhan Mantri Gram Sadak Yojana, Konkan Region, Thane. In paragraph 6 of the affidavit, it is stated that a Committee was already constituted on 24th February, 2016 which is a part of the Grievance Redressal Mechanism provided in clause (24) of the contract. It is pointed out that when the order was passed in the earlier Writ Petition, there was an earlier Committee which was re-constituted on 24th February, 2016. In paragraph 11, it is stated that the Committee has heard the parties and has closed the matter on 28th February, 2017.

4. In paragraph 12, it is stated that the order of cancellation of the petitioner's registration is already withdrawn by the State Government and the name of the petitioner has been deleted from the black list. We accept the said statements.

5. Under the order dated 24th November, 2015, the Government Circular dated 25th April, 2014 by which the registration of the petitioner was cancelled and by which he was black listed has been set aside. Now paragraph 12 of the affidavit records that the order of cancellation of the registration of the petitioner is withdrawn and petitioner's name has been removed from the black list.

6. The learned Counsel appearing for the petitioner invited our attention to prayer clause (B). As far as withdrawal of amount is concerned, it is for the petitioner to apply to the appropriate authority of the State Government and a direction to release the amount cannot be issued in this petition.

7. Accordingly, we dispose of the petition by passing the following order:

(a) We direct the Committee constituted under order dated 24th February, 2016 to pass appropriate order in accordance with law as expeditiously as possible and in any event within a period of 45 days from 28th February, 2017;

(b) No adjudication is made on the claim made by the Petitioner before the Committee.

(c) As regards prayer clause (B), we permit petitioner to make a representation to the appropriate authority of the State Government. If such a representation is made, the same shall be decided expeditiously.

(d) With the above directions, the petition is disposed off.

(A.K. MENON, J)

(A.S. OKA, J)