

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8507 OF 2006**

The State of Maharashtra & Anr.	...Petitioners
Versus	
Yusuf Mirasaheb Shaikh & Ors.	...Respondent

**WITH
WRIT PETITION NO. 8529 OF 2006**

The State of Maharashtra & Anr.	...Petitioners
Versus	
Kazi Sawmill through Shri Yunus Munurddin Kazi	...Respondent

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Ms. Vaishali S.Nimbalkar, AGP for the State- Petitioner No. 1 in both
Writ Petitions.
None for the Respondent.

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**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: APRIL 6, 2017**

P.C. :

1. In these Writ Petitions, the orders both dated 8th June 2006 passed by the learned Jt. Civil Judge, Senior Division, Solapur below Exhibit 5 in Regular Civil Suit No. 471 of 2006 are challenged. The plaintiffs had filed the Suit for a declaration that the action of defendant no. 1 i.e. State of putting seals on Saw Mills of the plaintiffs at Solapur is illegal and void and also for a mandatory injunction to reopen the seals and also praying for the permanent injunction restraining the State of Maharashtra and the officers from putting the seals to the machines of

the plaintiffs and Saw Mills and from obstructing the business of the plaintiffs.

2. At the time of interim hearing of the application Exhibit-5, the trial Court directed the original defendant nos. 1 and 2 to restore the condition of Saw Mills of plaintiffs on or before 18.05.2006 and to open the seals and also directed the original defendant nos. 1 and 2 i.e. the petitioners to allow the plaintiffs to carry on business. Liberty was given to the plaintiffs to apply for renewal of the licence. The State has challenged the orders dated 8th June 2006 in the present Petition.

3. The learned AGP submits that she has not received instructions about the present status of Regular Civil Suit Nos. 469 of 2006 and 471 of 2006.

4. On perusal of the order, it appears that the licence was given to Saw Mills to continue the business and the Divisional Officer has granted no objection to the plaintiffs. On perusal of the record, it is found that there is no illegality in the orders dated 8th June 2006 passed by the learned Jt. Civil Judge, Senior Division, Solapur. Moreover, the Suit filed by the plaintiffs is of 2006 and it might have been decided. Therefore, both the Writ Petitions are dismissed.

(MRIDULA BHATKAR, J.)