

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION No. 39 OF 2017
IN
WRIT PETITION NO. 2181 OF 2016

The State of Maharashtra and Anr. ..Applicants.

In the matter between

Samata CHS Ltd. ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

Mr. Milind Sathe, Senior Advocate with Mr. Bhushan Deshmukh,
Murari Madekar and Sachin Kudalkar i/b Madekar & Co., for the
Petitioner.

Mr. Asif Patel, AGP for the Applicant - State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **February 3, 2017.**

P. C. :

1. Heard. This notice of motion is taken out for recall of the order dated 28th July 2016 and for direction to the Petitioner to pay the said amount of Rs.4,40,68,128 as per the demand notice dated 25th November 2016 to the Applicant.

2. On 28th July 2016, at the request of the learned AGP we adjourned the matter to 30th August 2016 and directed that till that date there shall be ad-interim relief in terms of prayer clause (c)(i).

3. The writ petition is still pending. Mr. Sathe, the learned Senior Counsel appearing for the Petitioner submitted that ad-interim relief granted on 28th July 2016 has been continued from time to time. In these circumstances, the Applicant is always at liberty to pursued the regular Court for vacation of the ad-interim relief at the time of hearing on the writ petition. No need for this Court to recall the order dated 28th July 2016. Notice of motion is, therefore, dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]