

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1909 OF 2018
IN
WRIT PETITION NO.13070 OF 2017**

Shogun Organics Limited	.. Applicant
In the matter between	
Shogun Organics Limited	.. Petitioner
Vs.	
State of Maharashtra through Secretary & Ors.	..Respondents

Mr.Ajay Panicker with Mr.Amit Kakni i/b. Ajay Law & Associates for
Petitioner.
Ms.Shyamali Gadre with Mr.Pranav Thakur i/b. Little & Co. for
Respondent Nos.2 & 3.
Ms.Nisha Mehra, AGP for State.

**CORAM : NARESH H. PATIL, ACTING C.J. AND
G.S. KULKARNI, J.**

DATE : 3rd SEPTEMBER 2018

P.C.:

By this application, the applicant prays for speaking to minutes of order dated 16th August 2018.

2. The learned Counsel appearing for the applicant submits that in fact six months time was granted to deposit the second installment of the amount as mentioned in paragraph 3 of the order. Another request is made to allow the applicant to furnish bank guarantee of a scheduled bank.

3. The learned Counsel appearing for the MIDC-respondent disputes the statement made by the learned Counsel for the applicant. She submits that the applicant has not complied with the order of furnishing bank guarantee of a nationalized bank. The learned Counsel prayed for withdrawal of 50% of the amount of Rs.75,09,663.45 which the applicant has deposited with the Registrar of this Court on Friday by Demand Draft.

4. We have perused the order dated 16th August 2018. We have gone through the record and submissions advanced before us. Following clarification is made to the order passed on 16th August 2018 by the Division Bench of this Court (R.M. Borde and Prithviraj K.Chavan, J.J.):-

(a) The applicant is entitled to furnish bank guarantee of a scheduled bank of remaining amount of Rs.95,31,878.56 within two weeks from today;

(b) The applicant shall deposit the amount of Rs.95,31,878.56 within three months from today with the Registrar, Judicial-I, High Court, Bombay;

(c) MIDC is permitted to withdraw the amount deposited with the Registrar, Judicial-I, subject to further orders to be passed in the petition;

(d) MIDC is at liberty to file appropriate application for withdrawal of the second installment which application would be dealt on its own merits.

5. The civil application stands disposed of accordingly.

G.S. KULKARNI

ACTING CHIEF JUSTICE