

Indian Oil Corporation Limited	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

Mr. Rushabh Sheth i/b. M/s. Bodhanwalla and Co. for the applicant in CHSW/219/2005.

DATED :- MARCH 12, 2018

1. After having heard both sides and perusing the writ petition and the affidavit in reply, we are of the firm opinion and as stated by Mr. More, on instructions, that the burden presently squarely falls on the Rashtriya Chemicals and Fertilizers Limited (RCFL), who has inducted the petitioner in the land as a sub-lessee. Since the RCFL has challenged the demand raised on them and that challenge is pending in this court, presently, the petitioner need

not have any apprehension. In the event the demand on the RCFL is sustained and any recovery is sought to be effected from the petitioner, we grant liberty to the petitioner to file appropriate proceedings, including to bring a writ petition in this court.

2. In the light of the averments made, on instructions, by Mr. More as reflected in the affidavit in reply, nothing survives in the writ petition and it is disposed of. We clarify that we have not examined the rival contentions.

3. In the light of the disposal of the writ petition, nothing survives in the chamber summons and it is disposed of as such.

(PRAKASH.D.NAIK, J.)

(S.C.DHARMADHIKARI, J.)