

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3917 OF 2014
WITH CA/5385/2014 IN WP/3917/2014

KASTURILAL SARDARILAL LUTHRA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. A.N. Kakade, Advocate for petitioner
Mr. A.S. Shinde, AGP for respondent - State
Mr. A.S. Bajaj, Advocate for respondent no. 2
...

CORAM : SUNIL P. DESHMUKH &
R.G. AVACHAT, JJ.
DATE : 10-04-2019

ORDER :

1. Heard learned counsel for petitioner. He refers to order dated 15-06-2012 and submits that despite the order, the same is not being honoured. As such, by present petition, he has sought direction to the authorities to implement said order.
2. Learned counsel for respondent no. 2 Mr. Bajaj, however, submits that the aforesaid order is of administrative nature and referring to paragraph no. 13 of his affidavit-in-reply dated 27-08-2015, submits that the matter is being proceeded with accordingly and a notice has been issued on 19th/20th May, 2014 *albeit* the same has been stayed.

3. After having heard learned counsel for parties at considerable length, it appears that several disputed questions are being raised in the writ petition, including the nature of order, however, since certain factual aspects which are contended to be otherwise on either side, we are not inclined to interfere with the contemplated proceedings and, thus, are dis-inclined to issue directions as sought under the writ petition. The writ petition is, therefore, disposed of.

4. Needless to refer to that all contentions are open for the parties.

5. In view of disposal of writ petition, civil application no. 5385 of 2014, seeking injunction does not survive and stands disposed of.

[R. G. AVACHAT]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

arp/