

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4176 OF 2019

The Construction San Jose GVK Projects
and Technical Services Pvt. Ltd.

...Petitioner

Versus

State of Maharashtra and anr.

...Respondents

WITH

WRIT PETITION NO. 4466 OF 2019

Gayatri Projects Ltd.

...Petitioner

Versus

State of Maharashtra and anr.

...Respondents

WITH

WRIT PETITION NO. 4536 OF 2019

TIPL JMMIPL (JV) Pvt. Ltd.

...Petitioner

Versus

State of Maharashtra and anr.

...Respondents

Mr. A. V. Anturkar, Senior Advocate, a/w Ms. Sheetal N.
Mhatre, for the Petitioner in all petitions.

Mr. Ashitosh Kumbhakoni, A.G., a/w Mr. Akshay Shinde, 'B'
Panle and Mr. Yatin Khochare, AGP for the State/
Respondent no.1

Mr. A. M. Kulkarni, a/w Mr. S. S. Diwan, for Respondent
no.3/CIDCO.

**CORAM: R. M. BORDE &
N. J. JAMADAR, JJ**

DATED: 30th JULY, 2019

Oral Order:-

1. Mr. Khochare, the learned AGP appearing for the State informs that the communication dated 28th March, 2019, would be withdrawn and liberty may be granted to take steps as permissible in law.

Leave granted to withdraw the communication dated 28th March, 2019, with liberty as prayed for.

2. It has been pointed out that in pursuant to the communication dated 28th March, 2019, certain amount i.e. Rs.21 Crore has been recovered from the CIDCO. Since the communication dated 28th March, 2019 is being withdrawn, the CIDCO will not take any steps for withholding amount payable to the contractor/petitioner legally due, under the pretext that the amount has been deposited with the State Government.

3. In observance of the order dated 23rd April, 2019, CIDCO will not take any coercive action against the petitioner for ensuing recovery of amount deposited by CIDCO with the State Government in furtherance of the communication dated 28th March, 2019.

4. In view of the above, the writ petitions stand disposed of.

[N. J. JAMADAR, J.]

[R. M. BORDE, J.]