

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9638 OF 2015

Indian Oil Corporation Ltd.Petitioner
V/S
The Commissioner,
Dairy Development Corporation & Ors.Respondents

Ms. Tanmayi Gadre Rajyadhaksha i/b M/s. RMG Law Associates for the
Petitioner/Corporation.

Mr. Sandip Babar, AGP for Respondent nos.1 to 3/State.

Mr. Ashish Katiyar, Manager Retail Sales, Indian Oil Corporation Ltd.
(Petitioner) present in Court.

Mr. V.B. Kajale, Dairy Project Officer, Dairy Development Corporation
(Respondents) present in Court.

Mr. P.D. Rathod, Residential Nayab Tahasildar present in Court
(Respondent/State).

**CORAM : A.A. SAYED &
RIYAZ I. CHAGLA, JJ.**

DATE : 13 FEBRUARY 2019

ORDER:

1 Learned AGP has placed on record letter dated 12 February 2019. The said letter states that the lease in favour of the Petitioner Corporation shall be renewed subject to two conditions viz- (i) that the Petitioner-Corporation shall operate the Petrol Pump itself; and (ii) the Petitioner-Corporation shall pay the amount of Rs.56,53,745/- (as of 31 December 2017) to the Respondent-Dairy Development Corporation.

2 In light of the above, we direct the Petitioner Corporation to pay the amount of Rs.56,53,745/- directly to the Respondent – Dairy Development Corporation within one week from today. The order dated 30 January 2019 (which directs deposit of the said amount in this Court) shall stand modified accordingly.

3 We record the statement of learned Counsel for the Petitioner-Corporation that the arrears of lease rent from 31 December 2017 till date shall be paid within three weeks from the receipt of the calculations from the Respondent-Dairy Development Corporation. We also record the statement of learned AGP on instructions that the said calculations shall be submitted within two weeks from today.

4 In view of the above, no further orders are required to be passed in the Petition. The Petition to stand disposed of.

(RIYAZ I. CHAGLA, J.)

(A.A. SAYED, J.)

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