

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
984 WRIT PETITION NO.3086 OF 2020**

M/S ANJANA MILK PRODUCTS PRIVATE LTD THROUGH ITS
DIRECTOR AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. A. G. Ambetkar, Advocate for the Petitioners.
Mrs. V. S. Chaudhary, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 21st FEBRUARY, 2020.

PER COURT:-

1. Mr. Ambetkar, learned counsel submits that notice is issued to hand over the physical possession on 24.02.2020. The learned counsel submits that though petitioners had approached DRT, the in-charge Court is at Hyderabad. The petitioners are ready to deposit 50% of the amount.

2. It will not be possible for us to exercise our writ jurisdiction under Article 226 of the Constitution of India. The petitioners have already approached DRT. In the DRT petitioners on 07.12.2017 gave an undertaking that before 31.01.2018 they would deposit Rs.70,00,000/-. The petitioners deposited only Rs.20,30,000/-. The remaining amount was not deposited. It is more than two years petitioners have failed to honour their own undertaking before DRT.

3. The matter is still subjudice before DRT. Considering the aforesaid, it will not be possible for us to pass any order in the present matter. The petitioners may approach DRT for necessary orders.

4. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/February-2020