

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO.2421 OF 2020

Cane Agro Energy (India) Ltd.	..Petitioner
Versus	
State of Maharashtra & Ors.	..Respondents

Mr. Amitkumar D. Sale, for Petitioner.
Mr. S. H. Kankal, A.G.P. for State.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 13th FEBRUARY, 2020.**

PC :

1. The petitioner has approached this court challenging the Revenue Recovery Certificate dated 04/09/2019 issued by the Commissioner of Sugar, Maharashtra State, Pune. After hearing the parties, vide order dated 11/02/2020 we have already observed that we are not inclined to entertain this writ petition. Learned Counsel for the petitioner had made a statement after taking instructions from the concerned officer that they were ready and willing to clear Fair Remuneration Price towards sugarcane within four weeks from 11/02/2020 in equal two installments and the officer had undertaken to file affidavit cum undertaking in that respect.

2. Today, the General Manager of the petitioner-Sugar factory is present in court. He has filed affidavit cum undertaking on behalf of the petitioner. He has accepted the

contents of the affidavit as true after entering into the witness box. The undertaking provides that the amount of Rs.403.90 lakhs would be paid in two equal installments i.e. Rs.201.95 lakhs would be paid within two weeks from today and the second installment of Rs.201.95 lakhs would be paid thereafter within further two weeks. The affidavit cum undertaking is taken on record and is marked 'X' for identification. The undertaking is accepted.

3. The learned counsel for the petitioner, in addition to the affidavit makes a statement that interest @15% as mentioned in the Revenue Recovery Certificate will also be cleared within four weeks from today in two equal installments. The statement is accepted.

4. In view of the undertaking and the statement made before the court, we pass the following order:

- a) Petitioner to clear Revenue Recovery Certificate dated 04/09/2019 issued by the Commissioner of Sugar, Maharashtra State, Pune, in two equal installments with interest as stated in paragraph Nos.2 & 3 of order above.
- b) If there is any default in payment, Respondents are entitled to recover the said amount.
- c) No coercive action shall be taken

pursuant to the Revenue Recovery Certificate dated 04/09/2019 issued by the Commissioner of Sugar, Maharashtra State, Pune, against the petitioner for a period of four weeks from today.

- d) The petition is disposed of accordingly in the aforesaid terms.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)