

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

WRIT PETITION NO.8418 OF 2017

Nipro India Corporation Pvt. Ltd.	 Petitioner
versus	
The State of Maharashtra & Anr.	 Respondents
.....	

- None present for Petitioner.
- Mrs.S.S.Bhende, AGP for Respondent Nos.1 and 2.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.**
DATE : 15th JANUARY, 2020.

P.C. :

1. None present for the Petitioner.
2. Learned AGP Mrs.S.S. Bhende for the Respondent.
3. Learned AGP submits that by this Writ Petition under Article 226 of Constitution of India, the Petitioner is seeking direction against the Respondent to release the amount of Rs.27,60,000/- paid by them as royalty in access.

4. Learned AGP submits that the said amount is already refunded to the Petitioner by memorandum dated 16/11/2017. She submitted that to that effect they have filed affidavit dated 30/06/2018 duly affirmed by Rajendra Kshirsagar, who is working as Joint Secretary, Revenue and Forests Department, Mantralaya, Mumbai. She relies on paragraph No.2 of the said affidavit which reads thus;

“2. I say and respectfully submit that vide memorandum dated 16.11.2017 the State Government has granted a sum of Rs.27,20,000/- to the petitioner towards the refund of the royalty amount paid by the petitioner in respect of the plot at Mauje Kesurdi, Taluka Khandala, District Satara. Hereto annexed and marked as Exhibit 1 is a copy of the said order dated 16.11.2017”.

5. Considering the submissions made by learned AGP nothing survives in this Writ Petition. Hence Writ Petition stands dismissed as infructuous. No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)