

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1 OF 2019
AND
CIVIL APPLICATION (STAMP) NO. 1516 OF 2018
AND
CIVIL APPLICATION (STAMP) NO. 5257 OF 2018
IN
WRIT PETITION NO.10908 OF 2012
WITH
WRIT PETITION NO. 10908 OF 2012**

Rajaram Foods Private Limited
V/S

...Petitioners

Gangapur Sahakari Sakhar Karkhana Ltd. & OrsRespondents

Ms. Rajani Iyer, Senior Advocate a/w Mr. Dinesh Parmar i/b Mr. Sandeep Bhimekar for the Petitioner.

Mr. Umesh Shetty a/w Mr. Mangesh Avhale i/b Mr. Sunil Hambre for the Respondent No.1.

Mr. Bhushan A. Walimbe for Respondent No.2.

Mr. A. A. Alaspurkar, AGP for the Respondent-State.

**CORAM : A. A. SAYED &
 A. K. Menon, JJ.
DATED : 21st January, 2020**

P.C.:

We record the statement of learned Counsel for the Respondent No. 2-Bank that the amount of Rs.7,25,25,250/-, which was deposited by the Petitioner towards 25% of the bid, alongwith 12% p.a. simple interest shall be refunded/paid by the Respondent No. 2-Bank to the Petitioner on or before 10th April, 2020.

2. In view of the above statement, learned Counsel for the Petitioner does not press the Writ Petition and seeks leave to

withdraw the Writ Petition. The Writ Petition is allowed to be withdrawn and to stand disposed of. Needless to say that in view of the withdrawal of the Writ Petition the impugned order of DRAT would operate. The contention of learned Counsel for the Respondent No. 1-Karkhana that Respondent No. 1-Karkhana cannot be fastened with the liability of interest @ 12% p.a. is kept open.

3. In view of the withdrawal of the Writ Petition, the Interim Application and Civil Applications would not survive and to stand disposed of.

4. List the Writ Petition for directions on 16th April, 2020 for reporting compliance.

(A. K. MENON, J.)

(A. A. SAYED, J.)