

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8876 OF 2021

Lilabai Arun Chaudhari

.. Petitioner

Versus

My Own Eco Energy Pvt. Ltd.
and another

.. Respondents

Mr. Yogesh B. Bolkar, Advocate for the Petitioner.

**CORAM : S. V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : 27th AUGUST, 2021.

PER COURT:-

- . The matter pertains to the contract between the private parties.
2. Mr. Bolkar, learned counsel for the petitioner has tried to impress upon us that though the respondent is a private party and not a State, still considering the nature of the reliefs claimed, this Court can exercise its writ jurisdiction.
3. It is a private transaction between the parties. The respondent No. 1 is not the instrumentality of the State. The petitioner seeks refund of the amount deposited by the petitioner with the respondent No. 1.

4. The dispute will be contractual in nature between the private parties. We are not inclined to exercise our writ jurisdiction. The petitioner certainly will have remedy available as per the contract between the parties or before the forum provided under the statute. The petitioner may avail the said remedy as may be permissible under law. In that event, all contentions of the parties are kept open.

5. Writ petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.