

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7749 OF 2021**

Bekem Infra Projects Private Limited ...Petitioners
Versus
Nashik Municipal Corporation and Ors ...Respondents

**Mr Anil Anturkar, Senior Advocate, with Shrirang K, i/b Devashish
G Godbole, for the Petitioner.**
Mr Muralidhar Patil, for Respondent No. 2.
Mr Ayush Chaddha, i/b AZB & Partners, for Respondent No. 3.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**
DATED: 18th November 2021

PC:-

1. The Writ Petition assails a show-cause notice of 1st November 2021 issued by the 2nd Respondent. The Petitioners put in reply to the show cause notice on 4th November 2021. A copy is at page 503. The 2nd Respondent has called a meeting in this regard on 22nd November 2021. This is said to be a meeting in terms of Clause 32 of the tendered conditions for settlement of disputes.

2. Mr Patil for the 2nd Respondent asks whether the Petitioner has replied or proposes to reply to the show-cause notice. Mr Anturkar says that in addition to the document at page 503, the

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Petitioners will, by 20th November 2021, submit a complete and detailed response to the show-cause notice.

3. The 2nd Respondent will consider the detailed response (as also the reply at page 503) of 4th November 2021 and, after hearing the Petitioner or its Advocate, passed a reasoned order in regard to the show-cause notice. The meeting will accordingly have to be re-scheduled. Mr Patil states it will be held on 24th November 2021. This is reasonable and we accept the statement.

4. If the ultimate decision of the 2nd Respondent is against the Petitioner or *inter alia* involves a termination of the contract, this will not be given effect to for a period of two weeks so as to enable the Petitioner to pursue appropriate remedies.

5. The Petition is disposed of in these terms. There will be no order as to costs.

6. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)