

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2226 OF 2021

M/s. Vasavi Power Services Pvt. Ltd.,
405, 4th Floor, Golden Edifice
Kahiratabad, Hyderabad 500004 -
Telangana, through its Authorized
Officer.

... Petitioner

- Versus -

Bharat Heavy Electricals Ltd.,
Power Sector, Western Region,
Shreemohini Complex, 345,
Kingsway, Nagpur, through its
Additional General Manager (Purchase)

... Respondent

Shri F. Mirza, Advocate for petitioner.

Shri H.V. Thakur, Advocate for respondent.

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : JUNE 30, 2021

ORAL JUDGMENT (PER SUNIL B. SHUKRE, J.) :

Hearing was conducted through Video Conferencing and
the learned Counsel for the parties agreed that the audio and visual
quality was proper.

2) Heard Shri Mirza, learned Counsel for the petitioner and Shri Thakur, learned Counsel for the respondent, who appears by waiving notice.

3) Rule, returnable forthwith. Heard finally by consent of the learned Counsel for the parties.

4) Shri Mirza, learned Counsel for the petitioner, at this juncture only presses the limited prayer contained in clause (e) of the petition. The prayer is about issuance of a direction to the subordinate Court for expeditious disposal on merits of the application seeking interim relief filed in Miscellaneous Civil Application No.99/2021 presently pending before it.

5) In our view, such a direction, having regard to the urgency expressed by the learned Counsel for the petitioner and having considered the submissions made on behalf of the respondent, can be issued by this Court. Accordingly, the petition is allowed only to the extent of aforesaid alternate prayer clause and it is directed that the application seeking interim relief filed in Miscellaneous Civil Application No.99/2021 shall be decided on its

own merits, in accordance with law, within a period of two weeks from the date of parties appearing before the Commercial Court on whose file the said application is pending for disposal. The parties to appear before the Commercial Court on 5th July 2021 at 11 a.m. virtually as far as possible and if permitted, physically.

6) Rule is made absolute in the above terms. No costs.

JUDGE

JUDGE

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