

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 4862/2021

(M/s Balaji Associates :Th.Its Proprietor vvs. The Chief Engineer (O & M) MSEDCL Amravati and others)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
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Court's or Judge's order

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Mr. N.S. Khubalkar, Advocate for the petitioner

**CORAM : SUNIL B. SHUKRE &
ANIL L. PANSARE, JJ.**

DATED : 30th November, 2021.

1. Heard learned counsel for the petitioner.
2. By this petition, the petitioner is praying for issuance of the direction to the respondents to act upon the the decision taken by Dispute Resolution Committee (DRC) in its meeting held on 28.01.2021. It is the grievance of the petitioner that the respondent-MSEDCL has already submitted the proposal to release amount of Rs. 5.26 lakhs for refund of differential amount of 0.45% from 11.71% to 11.26% which is not being given an effect to. If any direction is to be issued to the respondents for implementing the decision, it would reduce the High Court to the position of an executing agency. In our opinion, the remedy lies elsewhere for resolution of such a dispute.
3. Learned counsel for the petitioner submits that by virtue of the decision taken by the Committee a duty has been cast upon the

respondents to respect the decision in its letter and spirit. The submission is again about the execution of the decision of the Committee and, therefore, as we have already said that this court is not a executing court, the instant Petition is not maintainable.

The Writ Petition is dismissed. No costs.

JUDGE

JUDGE

sahare