

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5097 OF 2019
WITH
WP/13394/2019

Mahadeo Digambar Birajdar and Others

....Petitioner

VERSUS

Jailaxmi Sugars Nitali Products Pvt Ltd
Through Managing Director and Others

....Respondents

Advocate for Petitioner : Mr. M.L. Dharashive
AGP for Respondent Nos. 2 to 6 : Mr. S.G. Karlekar

**CORAM : A.S. GADKARI AND
S. G. MEHARE, JJ.**

DATE : 03.02.2022

P.C. :

1. The petitioners have sought relief of payment for supply of sugarcane to respondent No. 1 for crushing season of 2014 – 2015 with 15% interest.

Admittedly respondent No. 1 is a private limited company and is not a 'State' as contemplated under Article 12 of the Constitution of India.

2. In view thereof, writ petition against respondent No. 1 under Article 226 of Constitution of India is not maintainable and is accordingly dismissed.

3. We however, reserve the rights of petitioners to adopt appropriate legal proceedings for execution of Order dated 28.11.2018, passed by the

Commissioner of Sugar, Maharashtra State, Pune, as may be permissible under the provisions of law.

[S.G. MEHARE, J.]

[A.S. GADKARI, J.]

SPC