

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5177 OF 2022

M/S SHREE VINDHYA PAPER MILLS LIMITED SPVML
VERSUS
THE EXECUTIVE ENGINEER WATER RESOURCE DEPARTMENT
IRRIGATION DEPARTMENT AND ANOTHER

Mr.S.G.Ladda h/f Mr.S.S.Ladda, Advocate for the petitioner.
Mr.S.G.Karlekar, AGP for respondent/State.
Mr.Anil M.Gaikwad, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE AND
ANIL L. PANSARE, JJ.)
DATE : JUNE 24, 2022

PER COURT :

1. The petitioner has put forth prayer clauses A, B and C as under :-

“A. That this Hon’ble Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction, directing the respondent No.1 to provide its bank account details in order to enable the petitioner to make the payment of the amounts as per the Resolution Plan, to the respondent No.1 and settle its dues in full;

B. That this Hon’ble Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction commanding the respondents to process the petitioner’s application dated 14.02.2022 for the water supply and electricity connection at the property of the petitioner and grant the same within

4 weeks of the hearing and final disposal of the present petition;

C. Direct the respondent No.1 to treat the outstanding dues as extinguished and Respondent No.2 to issue the electricity connection without asking for any past dues and consider the same as extinguished.”

2. We have considered the submissions of the learned Advocates for the respective sides and the learned AGP. We have perused the petition paper book with their assistance. Issue is as regards an order passed by the learned NCLT. The petitioner claims that depositing a certain amount with respondent No.1 would result into settling its dues in full.

3. We find that this petition need not be entertained in our extraordinary jurisdiction. If the petitioner desires to pay certain amounts to respondent No.1, they are at liberty to adopt a procedure as is permissible in Law. We would not issue a direction to respondent No.1 to provide its bank details since we find that the respondents are raising a serious dispute about the bonafides of the petitioner in implementing the order of learned NCLT.

4. In view of the above, this petition is dismissed.

*(Where to add :- This order is restricted only to the extent of the submissions of the learned Advocate for the petitioner in terms of

prayer clause "A".)

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)