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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 2604 OF 2016
IN
CIVIL WRIT PETITION NO. 8453 OF 2011**

THE NAVHIND CO. OP. CREDIT SOC.APPLICANT
LTD. THROUGH MANAGER SHRI
MADAN PATIL

V/s.

STATE OF MAHARASHTRA THROUGHRESPONDENT
SECRETARY AND ORS

**WITH
CIVIL APPLICATION NO. 1487 OF 2017
IN
CIVIL APPLICATION NO. 2604 OF 2016
IN
CIVIL WRIT PETITION NO. 8453 OF 2011**

THE ADDITIONAL COMMISSIONER OF SALESPETITIONER
TAX, KOLHAPUR ZON

IN THE MATTER BETWEEN

THE NAVHIND CO. OP. CREDIT SOC.APPLICANT
LTD. THROUGH MANAGER SHRI
MADAN PATIL

V/s.

STATE OF MAHARASHTRA THROUGHRESPONDENT
SECRETARY AND ORS

WITH
CIVIL APPLICATION NO. 2567 OF 2016
IN
CIVIL WRIT PETITION NO. 8452 OF 2011

THE SAHYADRI COOPERATIVE CREDIT SOCIETY LTD. BELGAUMPETITIONER

V/S.

STATE OF MAHARASHTRA AND ORSRESPONDENTS

WITH
INTERIM APPLICATION NO. 477 OF 2022
IN
CIVIL APPLICATION NO. 2567 OF 2016
WITH
INTERIM APPLICATION NO. 473 OF 2022

ATHARV INTERTRADE PVT. LTD.APPLICANT

IN THE MATTER BETWEEN

THE SAHYADRI COOPERATIVE CREDIT SOCIETY LTD. BELGAUMPETITIONER

V/S.

STATE OF MAHARASHTRA AND ORSRESPONDENTS

WITH
CIVIL APPLICATION NO. 1476 OF 2017
IN
CIVIL APPLICATION NO. 2567 OF 2016

THE ADDITIONAL COMMISSIONER OF SALES TAX KOLHAPUR ZONEAPPLICANT

IN THE MATTER BETWEEN

THE SAHYADRI COOPERATIVE CREDIT
SOCIETY LTD. BELGAUM

....PETITIONER

V/S.

STATE OF MAHARASHTRA AND ORS

....RESPONDENTS

WITH
CIVIL APPLICATION NO. 299 OF 2018
IN
CIVIL WRIT PETITION NO. 8453 OF 2011

THE TASGAONKAR SUGAR MILL LTD.

....APPLICANT

V/S.

THE NAVHIIND COOPERATIVE CREDIT
SOCIETY LIMITED

....RESPONDENT

WITH
CIVIL APPLICATION NO. 300 OF 2018
IN
CIVIL WRIT PETITION NO. 8452 OF 2011

THE TASGAONKAR SUGAR MILL LTD.

.....APPLICANT

V/S.

THE SAHYADRI COOPERATIVE CREDIT
SOCIETY LIMITED

....RESPONDENT

Mr. Shriniwas s. Patwardhan for original/ Petitioner Advocate for the
Applicant

Mr. S. H. Kankal, AGP for Respondent nos. 1 to 4

Mr. Chetan G. Patil for Respondent no. 5

Mr. Shekhar Jagtap a/w Sairuchita Choudhary a/w Mayuresh Ingale

a/w Shubham Gade a/w Padmaja Malgaonkar i/b J. Shekhar & Co.
for Respondent no. 6

Mr. Suresh Kumar for Respondent no. 9

None for Respondent no. 8

CORAM : NITIN W. SAMBRE, J.

DATE: JULY 11, 2022.

P.C.:

- 1) Heard.
- 2) In view of the order of the Apex Court dated 28/03/2016 in Civil Appeal No. 1840 of 2013, particularly as mentioned in para 14 which reads thus:

“14. For the reasons, as discussed above, both the appeals deserve to be allowed. Accordingly, the appeals are allowed. The impugned judgment and other dated 10.2.2012, passed in Writ Petition Nos. 8452 of 2011 and 8453 of 2011 is set aside. We direct the authorities concerned to disburse the amount in the light of the observations made above regarding entitlement of the appellants with precedence over the dues payable to workers and sugarcane farmers, under Sugarcane (Control) Order 1966. However, we clarify that the amount already distributed shall not be recovered from the workers and the sugarcane farmers. There shall be no order as to costs.”

I hardly see any reason so as to entertain the Applications.

3) Mr. Partwardhan, counsel appearing for the Applicants informed that already objectors preferred Application for clarification which was rejected vide order dated 18/08/2018 in I.A.D. No. 8731 and 8732/2018 in Civil Appeal Nos. 1840 and 1841/2013.

4) In view of above, I hardly see any reason which warrants consideration of the prayer made in Civil Application No. 2604 of 2016 and Civil Application No. 2567/2016. Applications stand disposed of relegating the parties to approach before the Authorities concerned for disbursement of the amount as directed by the Apex Court.

5) In view of disposal of Civil Application Nos. 2604/2016 and 2567/2016, nothing survives in other remaining Applications. They stand disposed of accordingly.

[NITIN W. SAMBRE, J.]