

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

WRIT PETITION NO.1822/2021

Omkumar s/o Gajanan Gonnade

Vs.

Bhandara Municipal Council, through its Chief Officer.

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

Court's or Judge's Order

Shri H.A.Khedikar, Advocate for petitioner.
Shri S.S.Ghate, Advocate for respondent.

CORAM :- A.S.CHANDURKAR AND SMT. M.S.JAWALKAR, JJ.

DATE :- MARCH 25, 2022.

The petitioner was awarded contract for collection of market fee on behalf of the respondent-Municipal Council for the period from 01.04.2020 to 31.03.2021. On 04.02.2021 the petitioner had sought extension of the period of the contract as he could not effectively collect market fee on account of the pandemic situation. The Municipal Council refused that request on 16.02.2021 by citing various reasons including the fact that the cheque given by the petitioner for an amount of Rs. Sixteen Lakhs had been dishonoured.

We find that the period of almost a year has now lapsed since the original contract of the petitioner came to an end. The relief as sought by the petitioner arises from the contract between the petitioner and the respondent. In this backdrop, we are not inclined to examine the challenge in these proceedings. It would be open for the petitioner to seek appropriate relief before the Civil Court, if he so desires.

The writ petition is therefore dismissed. No costs.

(SMT. M.S.JAWALKAR, J.)

(A.S.CHANDURKAR, J.)