

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

**WRIT PETITION NO. 5537/2021**

(M/S ABHIJEET ASHOKA INFRASTRUCTURE PVT. LTD., NAGPUR **VERSUS** GOVERNMENT OF INDIA  
& ANOTHER)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders.*

*Court's or Judge's order*

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Shri C.S. Dhore, counsel for the petitioner.  
Shri N.S. Deshpande, A.S.G.I. for the R-1.

**CORAM : A. S. CHANDURKAR AND G. A. SANAP, JJ.**

**DATE : FEBRUARY 11, 2022.**

The petitioner seeks a direction to be issued to the respondents to consider its representation/proposal dated 16.06.2021. By that proposal a request was made for extension of the concession period in lieu of cash compensation.

While issuing notice on 27.12.2021, the following order was passed:

- “1. Heard Shri C.S. Dhore, learned counsel for the petitioner.*
- 2. Issue notice to the respondents, returnable on 1-2-2022.*
- 3. Shri Ulhas Aurangabadkar, learned ASGI, waives service of notice for respondent No.1.*
- 4. The learned counsel for the petitioner has placed on record the communication dated 26-12-2021 issued by respondent No.2.*
- 5. In view of the communication dated 26-12-2021 issued by respondent No.2, immediately no interim orders are warranted. However, it is clarified that the amount deposited by the petitioner-Company in Escrow account shall not be adjusted or withdrawn until further orders by any party to this petition.*
- 6. Needless to clarify that the separate account shall be maintained by the petitioner of the operational expenses, day-to-day details of which be furnished to the respondents.*
- 7. The respondents accordingly shall consider the request of the petitioner-Company for granting permission to adjust the operational expenses.”*

Shri N.S. Deshpande, learned Assistant Solicitor General of India for the respondent no.1 has placed on record a pursis alongwith the communication dated 09.02.2022 issued by the Executive Engineer for the Regional Officer to the Chief Engineer (NH) State PWD Maharashtra in which it has been stated that within a period of three months the representation/proposal dated 16.06.2021 shall be decided.

In view of aforesaid Prayer (a) made by the petitioner stands satisfied. Accordingly, it is directed that the representation/proposal dated 16.06.2021 be decided by the respondent in accordance with law within a period of three months from today and the decision taken be communicated to the petitioner. Similarly, Direction Nos.6 and 7 of the order dated 27.12.2021 shall continue to operate till the representation/proposal dated 16.06.2021 is decided. All points on merits are kept open for being raised at appropriate stage.

The writ petition is disposed of in aforesaid terms. No costs.

**(G. A. SANAP, J.)**

**(A. S. CHANDURKAR, J.)**

APTE