

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.4240 OF 2023

1. Chhabra Agencies, Jalgaon.
Through its Proprietor
Vinay Laxman Chaudhari,
Age : 38 years, Occ : Business,
R/o Plot No.29, Opp. Gold City Hospital,
Pimparala Road, Jalgaon.
2. R.K. Pharmaceutical @ Distributors,
Latur through its Proprietor,
Amar Manavendra Kendre,
Age : 32 years, Occ : Business,
R/o Plot No.12, Pati Chicholiraowadi,
Behind Navoday School, Latur.
3. Tanushree Surgical, Nagpur.
Through its Proprietor
Prafulla Thakurdas Sawal,
Age : 48 years, Occ : Business,
R/o H.No.200/A, Ward No.33,
Old Jailkhana Road, Ganji Peth,
Nagpur.
4. Mahalaxmi Trading Company,
Nagpur through its Proprietor,
Manju Prafulla Sawal,
Age : 44 years, Occ : Business,
R/o Flat No.109, Jay Laxmi Society,
Telephone Exchange, Nagpur.
5. Chandak Medical Stores, Chandrapur,
Through its Proprietor
Dilip Radhakishan Chandak,
Age : 65 years, Occ : Business,
R/o M No.226, Room No.123,
First Floor, Jatpura Gate,
Chandrapur.

...PETITIONERS

-VERSUS-

1. The State of Maharashtra.
Through its Secretary,
Health Department,
Mantralaya, Mumbai.
2. The Director of Health,
Aurangabad Division, Aurangabad.
3. The Civil Surgeon,
Civil Hospital, Parbhani,
Tq. & Dist. Parbhani.
4. The Collector,
Parbhani.

...RESPONDENTS

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Advocate for the Petitioners : Shri S.S. Gangakhedkar i/by Shri
Deshmukh Mahesh S.
AGP for the Respondents/State : Shri P.K. Lakhotiya
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**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 19th August, 2023

ORAL JUDGMENT (*Per Ravindra V. Ghuge, J.*) :-

1. Rule. Rule made returnable forthwith and heard
finally by the consent of the parties.
2. The Petitioners have put forth prayer clause B as

under:-

“B) By an order of this Hon’ble Court, the respondents may kindly be directed to disburse payment of the unpaid amount as per the invoices (Exhibit-C collectively).”

3. The Petitioners are before us praying for releasing of their legal dues/ payments towards the bills for supply of Covid-19 medicines as well as surgical equipment during the Covid period. These bills have been purportedly raised towards the medicines and surgical equipment that were supplied for combating the Covid-19 pandemic.

4. Shri Gangakhedkar, the learned Advocate for the Petitioners, has vehemently supported the prayers put forth in the light of the grounds formulated in the petition.

5. In similar matters, wherein the bills were admitted, we have directed the release of the said bills. The learned AGP submits that these bills cannot be cleared without proper verification.

6. In view of the above, **this Writ Petition is disposed off** with the following directions:-

(a) The Respondent Authorities would verify the bills of these Petitioners within a period of sixty days from today.

(b) Those amounts, which are admissible and are uncontroverted, would be cleared within thirty days thereafter.

(c) If there are any amounts/ bills on which there is any objection, Respondent No.3 shall communicate to the respective Petitioners about such bills not being cleared. In such situation, the Petitioners would be at liberty to resort to filing of a recovery suit, subject to the law of limitation that is applicable.

7. Rule is discharged.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)