

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

964 WRIT PETITION NO.6196 OF 2020

VAISHNO DEVI FOOD PRODUCTS PVT. LTD.
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. G.K. Naik - Thigle
AGP for Respondent – State : Mr. S.B. Yawalkar
...

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 05-04-2023

PER COURT :

. The challenge in the petition is to the Revenue Recovery Certificate issued by respondent - Tahsildar in the matter of recovery of the costs of goods which were supplied to petitioner for further processing.

2. The nature of contract appears to be that surplus milk from respondent - State Government Dairy Department was to be supplied to petitioner for conversion of same into dry milk powder, butter etc., and the same was to be returned to respondent authorities.

3. The failure on the part of petitioner to supply the converted goods has resulted into issuance of Revenue Recovery

Certificate.

4. Learned Additional Government Pleader Mr. Yawalkar submits that already petitioner is before National Company Law Tribunal and in view of the proceedings so taken up during October 2007-2010, the appointment of interim resolution professional came to be made.

5. As a sequel of above, pursuant to the provisions of Section - 14 of Insolvency and Bankruptcy Code, 2016, moratorium period has commenced.

6. Respondents have already lodged their claim before the said resolution professional.

7. In this backdrop, we refrain ourselves from causing any interference in the present petition. Petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP