

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15952 OF 2022**

**M. B. Gharpuray, Engineers
And Contractors**

.. Petitioner

Versus

**The Executive Engineer, PWD,
Kudal at Kankavai & Ors.**

.. Respondents

Mr. Nitin P. Deshpande for petitioner.
Mr. M. M. Pabale, AGP for State.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: APRIL 18, 2023

P.C.:

- 1.** We have heard Mr. Deshpande, learned advocate for the petitioner and the learned AGP.
- 2.** The relief is sought by the petitioner against the respondents to pay the revised amount raised in its letter dated 18th September, 2017 along with interest at the rate of 10% per annum.
- 3.** In writ jurisdiction, we are not going to decide the genuineness of the petitioner's claim arising out of contractual obligation. The evidence would be required.
- 4.** If the respondents have not taken decision on the revised claim of the petitioner, it is for the respondents to take decision upon it as may be permissible in law. Even otherwise, the petitioner is entitled to avail alternate remedy available to it.
- 5.** With the aforesaid observations, the writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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