

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.14820 OF 2022

Sukhakarta Building Material Suppliers .. Petitioner.
v/s.
The State of Maharashtra
& Others .. Respondents.

Mr. Dilip Bodake, for the Petitioner.
Mr. V. M.Mali, AGP for Respondent Nos. 1 to 7.

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**CORAM: SUNIL B. SHUKRE &
FIRDOSH P. POONIWALLA,JJ.**
DATED : 14th SEPTEMBER, 2023.

PC:-

Heard.

Learned Counsel for the Petitioner submits that Petitioner is entitled to refund of Rs.4,52,37,048/-. Learned AGP submits that Petitioner has been refunded an amount of Rs.3,17,33,294/-.

2 Learned Counsel for the Petitioner submits that the refund of Rs.4,52,37,048/- is actually due and it has not been so far paid to the Petitioner. From the above contentions, it becomes clear that this Petition involves disputed question of fact and, therefore, appropriate remedy would lie before the Civil Court of competent jurisdiction.

3 We relegate the Petitioner to the alternate remedy which is available to him and accordingly dispose of the Petition.

4 Petition disposed of.

5 All contentions are kept open.

(FIRDOSH P. POONIWALLA,J.)

(SUNIL B. SHUKRE,J.)