

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14780 OF 2022

Sulzer Pumps India Private Limited
V/S

....Petitioner

The Security Guards Board & Ors.

....Respondents

...

Mr. Jitendra M. Pathade for the Petitioner.

Mr. Amardev Uniyal for Respondent Nos.1 to 3.

Mr. B.V. Samant, AGP for Respondent nos.4 and 5-State.

...

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

DATE : 3 JANUARY 2023.

P.C.:

1 The learned Advocate submits that the order passed by Respondent No.1 directing payment of Rs.47,97,658-19 was assailed by the Petitioner in Writ Petition bearing No.4678 of 2021. The Division Bench of this Court under order dated 8 March 2022 set aside the order passed by Respondent No.1 and directed enquiry to be conducted.

2 In spite of the fact that the order is set aside by this Court, the Tehsildar on the basis of the order that is set aside by this Court passed an order for attachment of the immovable property of the Petitioner. The learned Advocate submits that the same is illegal.

3 The learned Advocate for Respondent No.1 on instructions submits that Respondent No.1 pursuant to the order of this Court dated 8 March 2022 in Writ Petition No.4678 of 2021 has initiated enquiry and the same is at the fag end.

4 We have heard the learned AGP also.

5 The Tehsildar could not have issued the impugned order attaching the immovable property of the Petitioner on the basis of the order passed by the Respondent No.1 that is set aside by this Court.

6 In light of the above, the impugned orders are quashed ad set aside.

7 The parties may take further steps pursuant to the fresh order that will be passed by Respondent No.1.

8 The Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)