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

WRIT PETITION NO. 1018 OF 2017

Shaikh Zahid Mukhtar and Anr.

... Petitioners

V/s.

Managing Director of MSEDCL,
Bandra, Mumbai and Ors.

... Respondents

None for the Petitioners

Mr. Kiran Gandhi i/b. Little & Co. for the Respondent Nos. 1 and 2

Mr. R.P. Kadam, AGP for the Respondent No.3

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 30 OCTOBER 2023

P.C. :-

Two Petitioners who have filed this Petition have claimed themselves to be the residents of Bhiwandi. The Petitioner No.1 is stated to be engaged in powerlooms business and Petitioner No.2 is acting as a Social Worker and what social work he is doing is not reflected in the Petition.

2. Be that as it may, the Petitioners have sought reliefs to stop the Respondents from execution of renewal of agreement

entered into between Maharashtra State Electricity Distribution Company Ltd. and Torrent Power Limited after the expiry of the same on 28 December 2016. This Petition was filed on 16 December 2016 without joining Torrent Power Limited as party Respondent. The Petition was moved on 23 January 2017 wherein the learned Counsel appearing for the Maharashtra State Electricity Distribution Co. Ltd. placed before the Court renewal agreement executed on 2 December 2016 reviewing the agreement between the Company and the Torrent Power Ltd. to 25 January 2021. The Division Bench noted that there is no challenge to the said agreement and even Torrent Power Ltd. is not party Respondent, hence, no order could be passed on that date. The position has not changed. No amendment is carried out till date. The substantial part of the agreement is already over. The Torrent Power Ltd. still not made party Respondent.

3. As regard the human rights violations alleged in this Petition, the learned Counsel for the Respondent – Company has drawn our attention to the order passed in Writ Petition No. 4225 of 2013 filed in respect of the same on 5 May 2017 and also the order passed by the Maharashtra State Human Rights Commission dated 14 November 2020. As regard the human rights violation are concerned, the prayer is to direct an enquiry. However, the Maharashtra Human Rights Welfare Association through the Writ Petition No. 4225 of 2013 has already taken up the issue so also the

Maharashtra State Human Rights Commission. As regard the challenge to the renewal of the agreement is concerned, for lack of any amendment incorporating the challenge to renewal or joining the concerned Torrent Power Ltd. as party Respondent, no relief can be granted in that regard.

4. The Writ Petition is accordingly rejected.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

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PAWAR

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