

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Writ Petition No.2814 of 2023**

M/s Rajlaxmi Enterprises

Versus

M/s Sudhir Construction Infraspaces and others

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders.

Court's or Judge's order

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Shri C.B. Dharmadhikari, Counsel for Petitioner.

Shri A.M. Deshpande, In-charge Government Pleader for Respondent No.3.

**CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.**

**DATE : 19<sup>th</sup> JUNE, 2023.**

1. The petitioner-Firm contends that the work of undertaking road construction came to be granted by the respondent No.3 in favour of the respondent Nos.1 and 2. The respondent Nos.1 and 2 thereafter entered into a sub-contract with the petitioner-Firm and permitted it to carry out the said work. This fact was recognized by the respondent No.3 by its communication dated 27-4-2021. The grievance of the petitioner-Firm is that the bills raised by it are not being released by the respondent No.3 and hence it is prayed that after deducting the said amount from the bills payable to the respondent Nos.1 and 2, the respondent No.3 be directed to make such payment to the petitioner-Firm.
2. The learned counsel for the petitioner-Firm submits that the petitioner-Firm would make an appropriate representation to the respondent No.3-Department and seek the release of funds in its favour.
3. In view of aforesaid, the writ petition is disposed of by permitting the petitioner-Firm to approach the respondent No.3 by making a representation demanding the amount due which according to the petitioner-Firm is entitled to it. If such representation is made to the respondent No.3, the same shall be considered in accordance with the contractual documents and by applying the relevant law. It is expected that the respondent No.3 would decide such representation as expeditiously as possible. Needless to say that if the petitioner-Firm is not satisfied with the outcome of such representation,

the petitioner-Firm is free to take further steps in accordance with law.  
All points are kept open for being raised in appropriate proceedings.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

LANJEWAR