



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2202 OF 2024

M/S SWASTIK MANDAP WORKS THROUGH ITS PARTNER ABHISHEK
DHANANJAY SHETE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS URBAN DEVELOPMENT
DEPARTMENT AND OTHERS

Mr. Y. V. Kakde, Advocate for petitioner
Mr. P. K. Lakhotiya, AGP for respondent/State

CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.

DATE : 27th FEBRUARY, 2024

PER COURT :-

1. The Petitioner is Swastik Mandap Works who has performed certain business activity for the office of the Municipal Corporation. By this Petition, a prayer is made that a *Writ of Mandamus* should be issued to the Corporation to release Rs.39,34,201/- which is an outstanding amount towards the bills of the Petitioner under the tender notice No.1951 dated 05/11/2018.

2. We do not wish to entertain this Petition since this Court cannot initiate recovery proceedings by issuing a *Writ of Mandamus*.

3. The learned Advocate for the Petitioner submits that PIL No. 4 of 2020 is pending before this Court and the remainder bills of the Petitioner are not cleared due to the pendency of the PIL. We do not wish

to express any opinion on this contention. The Petitioner may take recourse to appropriate steps as may be permissible in law.

4. **This Writ Petition is, therefore, disposed off.**

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp