



This Order is Speaking to Minutes order of order dated //

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3253 OF 2024

**M/s KALBHAIRAVNATH AMBULANCE SERVICE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.**

...

Shri P.D. Bachate, Advocate for the Petitioner.

Shri S.K. Tambe, Advocate for Respondent Nos.1 and 2/State.

...

**CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.**

DATE :- 12th April, 2024

Per Court :-

1. Not on the Board. Mentioned.
2. This is a motion for speaking to the minutes of the order dated 03.04.2024.
3. It is pointed out that instead of “the Municipal Corporation, Jalgaon”, it should be “the Municipal Corporation, Ahmednagar” in the second line, first paragraph of the order dated 03.04.2024. As such, the word “Jalgaon” needs to be replaced by the word “Ahmednagar”.

4. The motion is allowed. Correction be carried out, accordingly, and the corrected order be uploaded.

kps

(R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

(This order stands corrected and uploaded in view of the order dated 12.04.2024 passed on the motion for speaking to the minutes of the order.)

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3253 OF 2024

M/s Kalbhairavnath Ambulance Service,
Ahmednagar .. Petitioner

versus

The State of Maharashtra & others .. Respondents

Mr. D. S. Bagul, Advocate holding for Mr. P. D. Bachate,
Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondent Nos. 1 and 2.

Mr. V. S. Bedre, Advocate for Respondent Nos. 3 and 4.

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

DATE : 3rd APRIL, 2024.

PER COURT :

1. The Petitioner claims to have supplied several vehicles to render services to the Municipal Corporation, **Ahmednagar** during the Covid 19 Pandemic. The Petitioner deployed its 11 vehicles in the services of the Corporation to be used as ambulance vehicles. The Petitioner, that time, did not demand any advance payment or did not refuse to provide the vehicles for lack of payment. The grievance is that, when in need, the Petitioner went out of the way to support the Corporation. Several bills are pending. The Corporation has not cleared its reminder dues. A chart of undisputed amount

is tendered by the learned Advocate for the Petitioner which is taken on record and marked as 'X' for identification.

2. The Medical Officer-Respondent No. 4 is present in the Court. The learned Advocate appearing on behalf of the Municipal Corporation submits that all the bills are not undisputed. Each bill is to be verified. A copy of the communication dated 2nd April, 2024, received by the learned Advocate from the Medical Health Officer, Ahmednagar Municipal Corporation is placed on record which is marked as 'Y' for identification. It is further canvassed that there are certain deficiencies which the Petitioner will have to clear and the bills would be considered.

3. In view of the above, **this Writ Petition is disposed off** with the following directions :-

(a) The Petitioner would contact the concerned officer of the Municipal Corporation for removing the deficiencies.

(b) After the deficiencies are removed, the Corporation shall first clear the payment which is undisputed, preferably within a period of 45 days from today.

(c) As regards the disputed bills, the Petitioner

and the Corporation would both co-operate with each other and if the dispute is not put to rest, the Petitioner would be at liberty of avail of the remedy as may be permissible in law by initiating a recovery suit, considering that the disputed issue cannot be dealt with by this Court.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

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