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

958 WRIT PETITION NO. 7304 OF 2024

**ANANT NURSERIES AND GARDEN DEVELOPERS
COOPERATIVE SOCIETY, THROUGH ITS CHAIRMAN**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr C. V. Thombre, Advocate for Petitioner;

Mr N. B. Patil, A.G.P. for Respondent Nos.1 & 2/State

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRADE, JJ.

DATE : 16th July, 2024

PER COURT:

1. The Petitioner, which is a private business entity, prays for a Writ of Mandamus to recover the outstanding bills payable by Respondent No.3/Municipal Council, Basmath, Dist. Hingoli. Various bills dating from 2016 on-wards, are said to be partly unpaid.

2. We find from the record that, it will have to be settled, as to whether the Petitioner had performed the contractual works and whether they were in accordance with the terms of the

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contract. In the order dated 16/11/2022, passed by this Court in Writ Petition No.11170/2022, this Court has observed that the Writ jurisdiction should not be utilized for recovering private bills of business entities. If the amounts are undisputed, it is upto the Authorities to pay the admissible amounts.

3. In view of the above, **this Writ Petition is disposed off.** The Petitioner is at liberty to avail of a remedy, as may be permissible in law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk