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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

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WRIT PETITION NO.4730 OF 2022

Antop Hill Warehousing Co. Ltd. ...Petitioner

V/s.

State of Maharashtra & Ors. ...Respondents

Mr.Gautam Ankhad with Ms.Hiral Thakkar and Mr.Sarthak Shukla i/b Ashwin Ankhad & Associates for the Petitioner.

Mrs.Sushma Bhende, AGP for the State - Respondent Nos.1 to 5.

CORAM : RAJESH S. PATIL, J.

DATE : 13TH FEBRUARY, 2024.

P.C. :-

1. This Writ Petition challenges an order dated 8 March 2022, passed by Respondent No.2 on the Review Application filed by Respondent Nos.3 and 4.

2. This Court by an order dated 20 April 2022, issued notice to the Respondents and granted ad-interim relief in terms of prayer clause (c) of the Writ Petition. Respondent No.2 was directed not to proceed with the hearing of the Review

Application.

3. Prayer clause (c) of the Writ Petition reads as under :-

“(C). Pending the hearing and final disposal of the present Writ Petition, this Hon’ble Court be pleased to stay the operation and effect of the Impugned Order dated 8 March 2022 (at Exhibit (A)).”

4. This matter is moved by the Petitioner seeking liberty to permit them to go back before Respondent No.2, where the Review Application is pending. They further submit that this will be without prejudice to their rights and contentions that the Review Application is not maintainable.

5. Mrs.Bhende, learned AGP for the State has opposed this application on the ground that the Writ Petition has to be disposed of if the Petitioner desires to move before Respondent No.2 for review.

6. According to me, suffice would be purpose if the Petitioner is granted liberty to move before Respondent No.2 for hearing the Review Application, keeping all the contentions open of the parties.

7. In the meantime, the Respondents should not take any

coercive steps during the hearing of the Review Application and if any adverse orders are passed against the Petitioner, further not to take coercive steps for further period of four weeks thereafter.

8. The parties are directed that they will co-operate with the hearing of the Review Application and will not seek any unnecessary adjourned without any valid reason.

9. The parties to appear before Respondent No.2 on 26 February 2024 at 3:00 p.m.

10. The Writ Petition is accordingly disposed of.

11. All parties to act on the authenticated copy of this order.

(RAJESH S. PATIL, J.)