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

CIVIL APPLICATION (CAW) NO. 2473/2024
IN
WRIT PETITION NO. 4313 OF 2004

BILT Graphic Paper Products Ltd.
Vs.
State of Maharashtra, Through Secretary, Department of Irrigation and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. A.A. Naik, Senior Advocate a/b Mr. R.R. Deo, Advocate for Applicant / Petitioner
Mr. B.M. Lonare, AGP for Respondent Nos.1 to 3
Mr. J.B. Kasat, Advocate for Respondent No.4

CORAM: AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.

DATED : 19th SEPTEMBER, 2024

1. Civil Application (CAW) No. 2473/2024, is for permitting the petitioner to withdraw the bank guarantee as indicated in prayer clause “A” therein. The bank guarantee was given in pursuance to order of the Hon’ble Apex Court dated 08.03.2019, whereby the judgment passed by this Court dated 11.01.2019, was set aside and the matter remitted back to the High Court for fresh decision in accordance with law. The aforesaid order makes it clear, that the bank guarantee would be subject to the result of Writ Petition No. 4313/2004. Writ Petition

No. 4313/2004 has been finally decided on 04.05.2023, whereby the petition was partly allowed in terms of the operating part of the order. Since Writ Petition has been finally decided, the bank guarantee has not been continued and the purpose for giving it also does not survive.

2. The learned Assistant Government Pleader for the non-applicant Nos.1 to 3 and Mr. J.B. Kasat, learned counsel for the non-applicant No. 4 do not dispute the above position, considering which, the Civil Application is allowed in terms of prayer clause "A".

(SMT. M.S.JAWALKAR J.) (AVINASH G. GHAROTE, J.)

MP Deshpande

Signed by: Mr. M.P. Deshpande
Designation: PA To Honourable Judge
Date: 19/09/2024 17:29:17