



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4620 OF 2024
IN
PUBLIC INTEREST LITIGATION NO. 98 OF 2021

Shree Sai Baba Sansthan Trust Shirdi
Through Its Administrative Officer

VERSUS

The State Of Maharashtra Through Its Principal Secretary

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- Mr. A. S. Bajaj, Advocate for Applicant
- Mr. V. M. Kagne, AGP for Respondent/State

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CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 23.09.2025

PER COURT :

1. Heard learned counsel for the applicant.
2. By this application, the applicant - *Shree Saibaba Sansthan Trust, Shirdi*, through its Ad hoc committee, is praying for the following relief :-

“B. The Applicant may kindly be permitted to implement the Resolution No. 166 dtd. 05.03.2024 for payment of Rs. 5,00,00,000/- to M/s. Nyati Engineers and Consultant Pvt. Ltd., Pune for the excess work done for the construction of the project of Educational Complex at Gut No. 183 situated at Nimgaon, Kolhare.

3. In that context, we have perused the documents on record, including Resolution No. 166, dated 05.03.2024, passed by the Ad-hoc committee. A perusal of the aforesaid resolution shows that while the concerned contractor, i.e. M/s. Nyati Engineers and Consultant Pvt. Ltd. Pune, has raised a bill of Rs. 5,59,95,141/-, an amount of Rs.5,00,00,000/- has been resolved to be disbursed to the said contractor.

4. It is recorded in the resolution that the said contractor has agreed to receiving the aforesaid reduced amount towards final settlement of the contract.

5. On enquiry, the learned counsel for the applicant was asked as to whether there was any written communication to that effect from the contractor. A copy of a letter dated 07.03.2024, sent by the said contractor, has been tendered. It is taken on record and it records that the said contractor has agreed to receiving payment of Rs.5,00,00,000/- and that it would not be raising any further claim for the concerned contract.

6. In view of the above, the application is allowed in terms of prayer clause – 'B', quoted hereinabove.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)