



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

WRIT PETITION NO.5166 OF 2025

[M/s. Bindal Construction, through its Authorized Representative, Mr. Shivang Amin **Vs.** The
State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.

Court's or Judge's order

Shri Ajay Kumar Tripathi, Counsel for Petitioner.
Shri N.S. Rao, Assistant Government Pleader for Respondent No.1.
Shri Uday A. Gosavi, Counsel for Respondent Nos.3 and 4.
Shri Vinod C. Singh, Counsel for Respondent No.6.

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.

DATE : 19th NOVEMBER, 2025.

1. Shri U.A. Gosavi, learned counsel for the respondent Nos. 3 and 4, at the outset, has raised the preliminary objection regarding maintainability of the present petition on the ground that earlier the same petition, bearing Writ Petition No.3619 of 2025, filed by the same counsel, was sought to be withdrawn on 11th July, 2025. Accordingly, this Court, vide order dated 11th July, 2025, permitted the petitioner to withdraw the said petition with liberty to take recourse to the other remedy of filing of a civil suit.
2. It is thus evident that while allowing the learned counsel for the petitioner to withdraw the earlier petition, no liberty was granted to the petitioner to file a fresh petition before this Court, however the liberty granted was to file a civil suit. In absence of any liberty to file a fresh petition, the present petition cannot be entertained.
3. The petition is dismissed accordingly.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)