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ITEM NO.25

COURT NO.17

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 483/2023

M/S I.S. INFRASTRUCTURE AND BUILDCON PVT. LTD.

Petitioner(s)

VERSUS

GOVERNMENT OF MAHARASHTRA & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 04-05-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. S. K. Verma, AOR
Mr. Udit Arora, Adv.
Mr. Saurabh Upadhyay, Adv.
Ms. Hardikaa, Adv.
Ms. Tavishi Jain, Adv.
Mr. Vikas Verma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Heard the learned counsel appearing for the petitioner.

We are shocked to note that a professional builder and contractor has filed a petition under Article 32 of the Constitution of India seeking a Mandamus to the Bombay High Court to dispose of the appeal pending before the said High Court of the year 2019 within a time bound schedule.

We take judicial notice of the fact that large number of

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appeals which are 15 to 20 years old pertaining to the jurisdiction of the Single Judge, are pending in the said Court. We deprecate the attempt made by the petitioner to jump the queue by approaching this Court in this manner. A litigant who can afford to approach this Court in this manner cannot get priority over other older cases. Filing such petitions under Article 32 of the Constitution of India is nothing but an abuse of the process of law.

After arguing the petition, the learned counsel appearing for the petitioner seeks permission to withdraw the instant petition.

However, while permitting the petitioner to withdraw the petition, we saddle him with costs of Rs.1,50,000/- which will be payable by the petitioner to the Maharashtra State Legal Services Authority.

The Writ Petition is dismissed as withdrawn accordingly.

We direct the petitioner to pay the costs quantified at Rs.1,50,000/- to the Maharashtra State Legal Services Authority within a period of six weeks from today and to produce the receipt issued by the Authority within six weeks.

(INDU MARWAH)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)