



22.caw.841.2026 in wp.2478.2021.odt

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

CIVIL APPLICATION (CAW) NO. 841 OF 2026

IN

WRIT PETITION NO. 2478 OF 2021

(MSEDCL & Anr. V/s The State of Maharashtra & Ors.)

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

Court's or Judge's orders

Mr. S. V. Purohit, Advocate for Petitioners.
Mr. J. B. Kasat, Advocate for Respondent No.3.
Ms. H. S. Dhande, AGP for Respondent Nos.1 & 2.

**CORAM : SMT. M. S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATE : MAY 04, 2026.

. This is an Application moved by the Petitioners for passing appropriate orders/directions.

2. The appropriate order, being sought by the Petitioners, is in the nature of directing the Respondent No.3/Corporation to comply with the order dated 16/7/2021 in the matter of settlement of the dispute between the parties through negotiations. The Petitioners have further sought direction to the Respondent No.3/Corporation to pay the upto date electricity dues of the Petitioners as per the chart and/or a direction is sought not to raise any demand towards its alleged

claim against the Petitioners in the matter of LBT charges, interest, penalty during the pendency of the Petition.

3. We have heard Mr. Purohit, the learned Counsel appearing for the Petitioners and Mr. Kasat, the learned Counsel appearing for the Respondent No.3 as also Ms. Dhande, the learned AGP appearing for the Respondent Nos.1 and 2.

4. As can be seen from the record, it transpired during the hearing that certain amounts are due and payable by the Respondent No.3/Corporation to the Petitioner/MSEDCL regarding the consumption of electricity, while it is the claim of the Respondent No.3/Corporation that certain amounts have been due and payable by the Petitioners against the payment of LBT charges and property tax. In that background of the matter, the Division Bench of this Court, vide order dated 16/7/2021, after hearing the parties granted ad-interim relief to the Petitioners herein in terms that there shall be a stay to the effect and operation of the attachment order dated 29/6/2021 until further orders. The Division Bench also directed that the parties are at liberty to settle their dispute amicably through negotiations.

5. The learned Counsel for the Petitioners submits that even though such an order is in force, the Respondent No.3/Corporation has issued a notice on 10/7/2025, by which the property mentioned in the said notice has been attached in terms

of the provisions of Maharashtra Municipal Corporation Act, 1949. He submits that various attempts of negotiations have not borne any fruitful result as yet.

6. *Per contra*, Mr. Kasat, the learned Counsel appearing for the Respondent No.3/Corporation states that efforts are made for finding out an amicable settlement, since it is the claim of both the parties that certain amounts are due against each other. Mr. Kasat also submits that the Petitioner/MSEDCL had submitted the details of payment made by the Respondent No.3/Corporation and the same are being verified by the Officers of the Respondent No.3/Corporation. He, however, on instructions, makes a statement that no coercive action would be taken against the Petitioner/MSEDCL regarding the payments of LBT charges and property tax, till such details are finalised.

7. In that view of the matter, the statement made by Mr. Kasat, the learned Counsel for the Respondent No.3/Corporation, being on instructions, is taken as an undertaking to the Court.

8. Accordingly, place the matter for further consideration on 19/6/2026.

9. Till this time, we hope and trust that the Petitioner and the Respondent No.3 being public authorities, would settle the

matter so that the public at large would not be put to any inconvenience. The settlement and negotiations would also include the payment due to the MSEDCL i.e. the Petitioner herein from the Respondent No.3/Corporation.

[NANDESH S. DESHPANDE, J.]

[SMT. M. S. JAWALKAR, J.]

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