

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION*

**WRIT PETITION NO.7732 OF 2016**

Gurukrupa & Company through  
Proprietor .. Petitioner  
Vs  
The Project Officer Ekamik Adivasi  
Vikas Prakalp, Nashik & Ors. .. Respondents

...

Mr. Tushar Narayan Sonawane for the Petitioner.  
Mr. V. P. Malvankar, AGP 'A' Panel for State-Respondent.

*CORAM : A. S. OKA &  
ANUJA PRABHUESSAI, JJ.*

*DATE : 31 JANUARY, 2017.*

**P.C. :**

1. The prayer made in this petition under Article 226 of the Constitution of India is to direct the 1<sup>st</sup> Respondent to decide the representations dated 28<sup>th</sup> August 2013, 7<sup>th</sup> October 2013 and 21<sup>st</sup> October 2013 and to release the amount due and payable to the Petitioner with interest thereon.

2. We have perused the aforesaid three representations. The representations are for release of the price of the goods supplied by the

Petitioners in the year 2009-10 and 2010-11. The learned counsel appearing for the Petitioners relies upon document at “**Exhibit-D**” to the petition which is recommendation dated 9<sup>th</sup> December 2011 by the 1<sup>st</sup> Respondent for release of amount to the Petitioner.

3. Prima facie, it appears to us that the money claim of the Petitioner may not be within the limitation. Therefore, we are unable to issue Writ of Mandamus as prayed for by the Petitioner. Accordingly, the petition is rejected. We, however, make it clear that the issue of limitation is not finally decided and the said issue will be finally decided in the proceeding which may be filed by the Petitioner.

(ANUJA PRABHUEDESSAI,J)

(A. S. OKA, J.)