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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION No. 269 OF 2014
IN
WRIT PETITION No. 2826 OF 2013

Najma Isimdar Ansari and Ors. ...Petitioners/ Applicants
Vs.
State of Maharashtra ...Respondent

WITH
WRIT PETITION (L) No. 296 OF 2015

Balkrishna Shivram More and Ors. ...Petitioners
Vs.
State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION No. 2123 OF 2014

Ajay Jankar s/o. Dadasaheb Jankar
and Ors. ...Petitioners
Vs.
State of Maharashtra and Ors. ...Respondents

Mr. Yusuf Khan a/w. Mr. Altaf Khan for Petitioners in WPL No. 296 of 2015 and WPL 2826 of 2013

Mr. Nilesh Acharya i/b. Anjali Awastee for Petitioner in WP No. 2123 of 2014.

Mr. D.A. Nalawade – Government Pleader for Respondent Nos.1 o 3 and 5in WP No. 2826of 2013

Mrs. Anjali Helekar -AGP for Respondent Nos. 3,5 and 6 in WP (L) No. 296 of 2015.

Mr.J.G. Reddy i/b. Vijay Patil for Respondent No.4 WP No. 2123 of 2014 and WP No. 2826 of 2013

Ms. M. Kajale -AGP for Respondent Nos.1 to 3 in WP No. 2123 of 2014

Mr. P.K. Dhakephalkar, Senior Counsel a/w. Leena Shah with Mr. Dipen Furia i/b. Shah & Furia Associates for Respondent No.8 in Notice of Motion No. 269 of 2014

(NMW 269 of 2014)

CORAM : V. M. KANADE &
A. R. JOSHI, JJ

DATE : FEBRUARY 18, 2015

P.C. :

1. Notice of Motion No. 269 of 2014 has been taken out by the Applicants/Petitioners for restoration of Writ Petition no. 2826 of 2013. It is submitted that by virtue of the order dated 8.10.2013 passed by the Division Bench of Justice Shri S.J. Vazifdar and Justice Shri K.R. Shriram, this Court had granted liberty to the Petitioners that in the event, the Competent Authority comes to a conclusion that he does not have jurisdiction to decide the issue raised by the Petitioners, the petition would stand revived. The Deputy Collector, in his order has held that he does not have jurisdiction to decide the issue raised by the Petitioners and, therefore, the petition would stand revived. The Notice of Motion is accordingly allowed in terms of prayer clause (a) and disposed of. Writ petition No. 2826 of 2013 is restored to the file. Leave to amend is granted to amend the Writ Petition (L) No. 2320 of 2013. Amendment to be carried out within two days. Place the matters on the supplementary board on 24.2.2015. Undertaking tendered by the Petitioners in WP (L) No. 296 of 2015 is taken on record.

[A.R. JOSHI, J.]

[V. M. KANADE, J.]