

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

Writ Petition No. 1711 of 2012

Ramdas Bhikaji Kothe and others. vs. Union of India and others.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Shri A.S.Kilor, Adv. for the petitioners.
Smt. Bharti Dangre, G.P. for R- 2 and 8
Shri S.G.Jagtap, Adv. for R- 5 and 6.

**CORAM : B.P.DHARMADHIKARI &
S.B.SHUKRE, JJ**

DATE : 7.4.2015

Heard.

2. Affidavit has been filed by the respondent no.6 on 9.3.2015. Along with it, the clearance of Alewadi Larger minor irrigation Project, has also been enclosed. Mr. Kilor, Advocate does not dispute that in view of the clearance which is granted in February, 2015, the challenge is rendered infructuous.

3. However, he invites attention to second page of said clearance to show that site is within 10 K.M. from Ambabarwa Wildlife Sanctuary and also falls in proposed ESZ of Melghat Tiger Reserve. He submits that this Court was

mislead after the petition was filed about three years back and the respondents deliberately then contended that it was not within 10 km..

4. Shri Jagtap, Advocate is seeking time to explain why such a statement came to be made.

5. The petition is pending since the year 2012 and it was filed after the work had just began. It is not in dispute that the Project is nearing completion. In this situation, we are not inclined to keep the matter pending. We dispose of the petition with costs of Rs. 5000/- payable by respondents 5 and 6 to the petitioners.

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