

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

Writ Petition No. 5993 of 2015

(Syed A Ejaz S/o Syed Ayub and ors. Vs. State of Mah. through the Secretary,
Revenue and Forest Dept. and ors.)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's order
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Shri S. C. Mehadia, Advocate for the petitioners
Shri P. A. Gode, Advocate for respondent no. 2
Shri S. V. Purohit, Advocate for respondent no. 3
Shri N. H. Joshi, AGP for the respondent no. 1

**CORAM : Smt. Vasanti A. Naik and
Prasanna B. Varale, JJ.**

DATE : 8-12-2015.

Heard.

By this petition, the petitioners challenge the order of the Deputy Conservator of Forests, Akola Division dated 17-10-2015 rejecting the objection of the petitioner to the shifting of the saw mill by the respondent no. 3.

It appears on hearing the learned counsel for the parties that there is a serious dispute between the parties in regard to the ownership over the license of the saw mill. Though the petitioners claim that the petitioners are the licensees of the saw mill in terms of the partnership, said fact is seriously disputed by the respondent no. 3 and it is sought to be pointed out on the basis of the judgments and orders that the license stands only in the name of the respondent no. 3.

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Considering the factual dispute involved in this case, it would not be possible for this Court to decide the issues involved in this case in exercise of the writ jurisdiction. The petitioner cannot challenge the impugned order on the basis of the facts averred in the writ petition that are complicated and disputed. The petitioner is free to avail the appropriate remedy.

We therefore dispose of the writ petition with no order as to costs.

The points raised in the writ petition are kept open.

JUDGE

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