

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

Civil Application (CAW) No. 2569 of 2015
in

Writ Petition No. 5859 of 2011

[The Conservator of Forest, Forest Dept., Chandrapur (Now Gadchiroli) and anr.
Vs. Jivan Eakhnath Dudhakohar]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri P. J. Mehta, Advocate for the applicant/original
respondent
Shri P. A. Gode, Advocate h/f Smt. Bharati Dangre,
Advocate for the petitioners

CORAM : Prasanna B. Varale, J.

DATE : 18-1-2016.

Heard.

The only ground raised in present application
is in respect of subsequent event, namely, the claim
of the respondent is rejected by the State
Government.

The perusal of the order passed by this Court
dated January 9, 2013 shows that this Court granted
liberty to the petitioner to consider the case of the
respondent in exercise of its discretionary powers.
The submission of the learned counsel for the
applicant is that discretion is not properly exercised
by the State Government while rejecting the claim of
the respondent. If the grievance of the respondent

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that the rejection is on untenable grounds, the respondent can avail the remedy available to him in challenge to such rejection. No ground is made out for out of turn hearing. The application is rejected.

JUDGE

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