

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

WRIT PETITION NO. 603 OF 2017

(Mohammad Zahid s/o Mohammad Lukhman ..vs.. State of Maharashtra, through its Secretary
Revenue and Forest Department, World Trade Centre, Mumbai and others)

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

Court's or Judge's orders

Shri S.K. Mishra, Senior Advocate assisted by Shri N.R. Tekade, Advocate
for the petitioner,
Mrs. Bharti Dangre, G.P. for the respondents.

CORAM : Z.A. HAQ, J.
DATED : 08-03-2017

Heard Shri S.K. Mishra, learned Senior Advocate assisted by Shri N.R. Tekade, Advocate for the petitioner and Mrs. Bharti Dangre, learned Government Pleader for the respondents.

The petitioner has approached this Court with the grievance that the order issued by the respondent No.3-Tahsildar directing him to use the way available to him as per the terms of the lease and he should stop using alternate way.

After the pleadings are complete and matter is argued, the respondent No.3-Tahsildar has filed an affidavit sworn on 08-03-2017 stating that he is withdrawing the impugned order as he realised that he should have referred the matter to the committee headed by the District Collector/Additional Collector, as per

clause 16 of the Government Resolution dated 12-03-2013.

As the impugned order is withdrawn, nothing survives in the petition. It is disposed as infructuous. In the circumstances, the parties to bear their own costs.

It is clarified that the respondent No.2 shall examine the matter and redress the grievance of the petitioner regarding approach way for transporting the sand, within one week.

JUDGE

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