

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

Civil Application (CAW) No. 570 of 2017

in

Writ Petition No. 2711 of 2014

(Anil S/o Uddhavrao Madurwar and anr. Vs. The State of Mah. through its Secretary,
Public Health Department and ors.)

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

Court's or Judge's orders.

Shri M. I. Dhatrak, Advocate for the applicant/
respondent no. 2
Shri N. A. Gaikwad, Advocate h/f Shri A. A. Naik,
Advocate for the petitioners
Ms. T. Khan, AGP for the respondent no. 1

**CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.**

DATED : 06/03/2017.

Heard.

Shri Dhatrak, learned Advocate appearing for the District Appropriate Authority invites our attention to the directions of Hon'ble Apex Court contained in order dated 4-3-2013 in Writ Petition (Civil) No. 349/2006. He points out that in this matter on 13-6-2014, ad interim relief was allowed and that has been confirmed by issuing rule on 1-8-2014. He also points out that somewhat similar challenge is also been considered in Writ Petition No. 6225/2013 wherein identical civil application is filed.

We find that on 4-3-2015, civil application was taken out for staying criminal prosecution and

prima facie this Court found that prosecution may not be sustainable and prayer (a) therefore in that civil application was allowed.

In this situation, we grant prayer made in Civil Application No. 570/2017. Registry to list writ petition for final hearing in week commencing from 10-4-2017.

JUDGE

JUDGE

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