

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

WRIT PETITION NO. 02/2018

(Shri Ajay S/o Ramdas Babare & anr. vs. State of Maharashtra & ors.)

WITH

WRIT PETITION NO. 07/2018

(Shri Bhagat S/o Ganesh Babre & ors. vs. State of Maharashtra & ors.)

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

Court's or Judge's orders

Shri P.S. Sahare, Advocate for the petitioner(s)
Shri P.S. Tembhare, AGP for the respondent nos. 1 to 3

CORAM : B.P. DHARMADHIKARI AND
Z.A.HAQ, JJ.

DATED : 01/08/2018

1] Learned AGP has pointed out that petitioners in both the petitions do not find mention in the impugned orders.

2] The order impugned in W.P. No. 07/2018 is against one Leelabai Harichandra Chavhan and she is not petitioner before this Court. Impugned order in W.P. No. 02/2018 is against Shri Ajay Ramdas Babre. He is petitioner no. 1 and alongwith him, another person namely Pratap S/o Chandulalji Morval is petitioner no. 2.

3] This Court has on 16/03/2018 directed petitioners to deposit the amount as claimed in the impugned orders. Petitioners claim that they attempted to deposit it but deposit has not been accepted.

4] Learned AGP is attempting to justify action of respondents in not accepting deposit from strangers.

5] We are not inclined to go into the merits of the controversy.

6] Without prejudice to the rights of the respondents in the matter, we direct respondents to accept the amount in terms of orders dated 16/03/2018 if offered by petitioners within two weeks from today. Acceptance of that amount by respondents shall not cloth petitioners with any right.

7] After deposit of such amount, it is open to petitioners to move appropriate application as per law with respondent no. 2/Collector within further period of four weeks. Said application, if received, shall be considered independently on its own merit by respondent no. 2/Collector within next three months.

8] With this direction, we dispose of present writ petitions. No costs.

JUDGE

JUDGE

Ansari