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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1549 OF 2019

Abdul Rehman Shaikh and Ors. ... Petitioners
V/s.
The State of Maharashtra and Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 1557 OF 2019**

A.T. Udiyanand ... Petitioner
V/s.
The State of Maharashtra and Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 1559 OF 2019**

Kazi Zinat Jafar and Anr. ... Petitioners
V/s.
The State of Maharashtra and Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 1560 OF 2019**

Qureshi Sayyed Hussain Magdum ... Petitioner
V/s.
The State of Maharashtra and Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 1561 OF 2019**

Qureshi Akhtari Ismail ... Petitioner
V/s.
The State of Maharashtra and Ors. ... Respondents

**WITH
WRIT PETITION (L) NO. 1842 OF 2019**

Zahidabee Niyazuddin Sayyed and Ors.	... Petitioners
V/s.	
The State of Maharashtra and Ors.	... Respondents

**WITH
WRIT PETITION (L) NO. 1843 OF 2019**

Zubeda Begum Ahmed Shaikh	... Petitioner
V/s.	
The State of Maharashtra and Ors.	... Respondents

**WITH
WRIT PETITION (L) NO. 1844 OF 2019**

Mumtaz Jumman Qadri and Ors.	... Petitioners
V/s.	
The State of Maharashtra and Ors.	... Respondents

**WITH
WRIT PETITION (L) NO. 1845 OF 2019**

Nasrullah Abdullah Shaikh and Ors.	... Petitioners
V/s.	
The State of Maharashtra and Ors.	... Respondents

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Dr. Birendra Saraf a/w Mr. Mayur Khandeparkar and Mr. Mangesh Sawant i/by Mr. Arun Panicker, Advocates for the Petitioner in WPL/1549/2019.

Mr. Arun Panicker a/w Mr. Mangesh Sawant, Advocates for the Petitioner in WPL/1557/2019, WPL/1559/2019, WPL/1560/2019, WPL/1561/2019, WPL/1842/2019, WPL/1843/2019, WPL/1844/2019 AND WPL/1845/2019.

Mr. Manish Upadhye, Asst. Government Pleader, State, Advocate for the Respondent Nos.1, 3 to 5 in WPL/1549/2019, WPL/1557/2019, WPL/1559/2019, WPL/1560/2019, WPL/1561/2019, AND WPL/1844/2019.

Mr. Himanshu Takke, Asst. Government Pleader, State, Advocate for the Respondent Nos.1, 3 to 5 in WPL/1842/2019, WPL/1843/2019 AND WPL/1845/2019.

Mr. Ashok Purohit a/w Ms. Raveena Yadav i/by M/s. Ashok Purohit and Co., Advocates for the Respondent No2 in all Writ Petitions.

Mr. Shaikh Shakeeb a/w Ms. Kinjal Upadhyay and Mr. Paras Gosar i/by Mr. Jayesh Vyas, Advocates for the Respondent Nos.7 and 8 in WPL/1549/2019 and Respondent No.6 in WPL/1557/2019, WPL/1559/2019, WPL/1560/2019 and WPL/1561/2019.

Mr. Vaibhav Joglekar a/w Ms. Aftab Diamondwala, Ms. Asha Nair and Ms. Ketaki Mishra i/by M/s Diamondwala and Co., Advocates for the Respondent No.9 in WPL/1549/2019 and Respondent No.7 in all other Writ Petitions.

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CORAM : R.D. DHANUKA, J.

DATE : 17th JULY, 2019.

P.C.:

By consent of the petitioners and respondents, the impugned order dated 20th April 2019 passed by the respondent no.5 is quashed and set aside. The proceedings are restored before the respondent no.5 for deciding the matter afresh after hearing the parties and in accordance with the law.

2. The respondent no.5 shall make an endeavor to dispose of the proceedings within four weeks from the date of first hearing. The respondent no.5 shall decide the matter without being influenced by

the observations made and the conclusion drawn in the order dated 20th April 2019 and shall pass the order in compliance with the order dated 4th February 2019 passed by this Court in Writ Petition No.2310 of 2018 and other connected matters.

3. It is made clear that the petitioners as well as the respondent no.9 would be at liberty to file their respective written arguments before the respondent no.5 within two weeks from today with a copy thereof shall be served upon each other simultaneously. The respondent no.5 shall also consider the written arguments proposed to be filed by both the parties in the order that would be passed.

4. It is made clear that this Court has not expressed any views on the merits of the matter. The matters shall be placed before the respondent no.5 on 25th July 2019 for directions for fixing an early date of hearing.

5. It is made clear that the interim relief granted by this Court by an order dated 4th April 2019 to continue till disposal of the proceedings before respondent no.5 and for a period of two weeks thereafter from the date of communication of the order, if such order passed by the respondent no.5 is adverse to the petitioners. The

parties shall not seek any unnecessary adjournment before the respondent no.5 and shall co-operate with each other and with the respondent no.5 in the disposal of the matter within the time prescribed in this order.

6. Writ Petitions are disposed of on aforesaid terms. The parties as well as respondent no.5 to act on the authenticated copy of this order. All other parties who are parties before respondent no.5 are permitted to file written arguments within two weeks from the date of communicate of this order. It is made clear that no further extension would be granted to file written arguments.

7. Writ Petitions are allowed on aforesaid terms. No order as to costs.

8. All parties to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)