

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 201 OF 2019

Sattar B. Abdul

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Arun Panicker for the Petitioner.

Mr.Sukanta Karmakar, A.G.P. for the State – Respondent nos.1, 3 and 4.

Ms.Ketki Mishra, i/b. M/s.Diamondwala & Co. for the Respondent no.7.

CORAM : R.D. DHANUKA, J.

DATE : 26th JULY, 2019

P.C.

Learned counsel appearing for the petitioner tenders a copy of the order dated 17th July, 2019 passed by this court in Writ Petition (L) No.1549 of 2019 in case of Abdul Rehman Shaikh and Ors. vs. The State of Maharashtra and Ors. and other companion matters thereby setting aside the order impugned in those petitions by consent of parties.

2. Learned counsel appearing for the respondent no.7 has no objection if the similar order is passed by this court in this petition also. Statement is accepted.

3. By consent of the petitioner and the respondent no.7, order dated 15th June, 2018 passed by the respondent no.5 is quashed and set aside. The proceedings are restored before respondent no.5 for deciding the matter after hearing the parties and in accordance with the law.

4. 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 15th June, 2018 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.

5. It is made clear that the petitioner as well as the respondent no.7 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.

6. 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 1st August, 2019 for directions for fixing an early date of hearing.

7. Writ petitions is allowed on aforesaid terms. No order as to costs.

8. The parties as well as respondent no.5 to act on the authenticated copy of this order.

9. All other parties who are parties before respondent no.5 are permitted to file written arguments within two weeks from the date of communication of this order.

10. It is made clear that no further extension of time would be granted to file written arguments.

[R.D. DHANUKA, J.]