

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceeding through video conferencing****WA No. 215 of 2021****(Arising out of order dated 28-06-2021 passed by learned Single Judge in WPS No.6296 of 2009)**

- Prahlad Tiwari (Dead) Through Lrs.
- 1. Laxmi Tiwari Wd/o Late Prahlad Tiwari Aged About 44 Years R/o House No. 1266, Janata Colony, Tatibandh, Raipur, District Raipur Chhattisgarh.
- 2. Hemlata Tiwari W/o Mahendra And D/o Late Prahlad Tiwari Aged About 35 Years R/o Gram Panchayat Bhawan Ke Pass, 771, Ward No. 4, Rajakhedi, Makronia Camp, Sagar (M.P.), District : Sagar, Madhya Pradesh
- 3. Vaishali Tiwari D/o Late Prahlad Tiwari Aged About 23 Years R/o House No. 1266, Janata Colony, Tatibandh Raipur, District Raipur Chhattisgarh.

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- State of Chhattisgarh Through The Secretary, Department of Forest Mantralaya, Day Kalyan Singh Bhawan Raipur Chhattisgarh
- Principal Chief Conservator of Forest, Chhattisgarh, Raipur Chhattisgarh.
- Chief Conservator of Forest (Admn And Non Gazetted) Chhattisgarh Raipur, Chhattisgarh.

---- Respondents

For Appellants	:	Shri Ashish Shrivastava, Senior Advocate with Shri Aman Pandey, Advocate.
For Respondents/State	:	Shri Sudeep Agrawal, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice
Hon'ble Shri Naresh Kumar Chandravanshi, J.

Judgment on Board

By

Hon'ble Shri Prashant Kumar Mishra, Ag.Chief Justice.

05/08/2021

- 1.** Heard.
- 2.** Shri Ashish Shrivastava, learned Senior Advocate appearing for the appellants (henceforth 'the petitioners') prays for withdrawal of the writ appeal. However, he prays that the Appellate Authority may be directed to decide the appeal at an early date. He also submits that since on the earlier occasion, despite holding that the appeal is barred by limitation, the appellate authority dealt with the merits of the case, the same authority may be influenced/impressed by his previous order.
- 3.** In view of prayer made by Shri Ashish Shrivastava, learned Senior counsel, the writ appeal is dismissed as withdrawn. However, the appellate authority is directed to decide the petitioner's appeal positively within three months from today. It is also made clear that while deciding the appeal afresh, the appellate authority shall apply its mind afresh without being influenced by its previous order.
- 4.** Accordingly, the present writ appeal is dismissed as withdrawn.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

SD/-
(N.K. Chandravanshi)
Judge