

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3510 OF 2021

Yashwant R. Tendolkar & Ors.] Petitioners.

Vs.

The District Collector,]

Sindhudurg & Anr.] Respondents.

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Mr. Vikram N. Walawalkar a/w Amey C. Advocate Mr. for petitioners.

Mr. Amey C. Sawant for State.

Mr. R. P. Kadam, AGP for State.

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**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 3rd SEPTEMBER, 2021.

P.C.

1. Heard learned Counsel for parties. Rule. Rule made returnable forthwith.

2. By this petition under Article 226 of the Constitution of India, petitioner is seeking direction against respondent no.1 to decide the pending application below Section 7 and 8 of Public Liability Insurance Act, 1991 as early as possible on its own merits. As per earlier order passed by this Court, respondent/state filed

their affidavit in reply dated 05.08.2021. In paragraph 3 it is submitted that they will decide the application as early as possible, but in any case within 6 months from the date of present order. Paragraph 3 of the said affidavit-in-reply reads thus;

3. I say that the petitioner filed his application on 31 August 2018 before the respondent on 1 under Section 7 and 8 of The Public Liability Insurance Act, 1991. I say and further submit that the Respondent no.1 seek six months time period to decide the application on merit.

3. Considering the submissions made by the learned Counsel for parties and as Respondent-State on solemn affirmation stated that they are going to decide the application as early as possible, but in any case within 6 months from today, and as the application is pending for last several years, it is necessary to decide the same within 3 months. Hence following order is passed.

:ORDER:

a) Respondent to decide petitioner's application below Section 7 and 8 of Public Liability Insurances Act 1991 as early as possible, but in any case within 3 months from today and communicate the order to the petitioner in writing.

b) All contentions of both parties are kept open.

c) It is made clear that petitioner shall co-operate with the Officer for final disposal of the matter on its own merits.

d) No order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]