

BASAVRAJ
GURAPPA
PATIL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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BASAVRAJ GURAPPA
PATIL
Date: 2021.09.03
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WRIT PETITION NO.4254/2021

M/s. Manadev De-silting Dredging
and Mining and Anr.

..... Petitioners

Vs.

The State of Maharashtra & Ors.

..... Respondents

Mr. S. M. Sabrad a/w. Neha R. Parte for the Petitioners
Mr. S. S. Panchpor, AGP for the State

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

DATED : SEPTEMBER 2, 2021

P.C.

1 Heard. By this petition under Article 226 of the Constitution of India, the Petitioners challenge the order dated 06.01.2021 passed by Respondent No.3 rejecting the Petitioner's Application dated 17.12.2019 for grant of permission to remove mud with sand from the agricultural land of Petitioner No.2.

2 After arguing for some time, the learned counsel for the Petitioners submits that bare reading of Application dated 17.12.2019 shows that the same has not been worded properly. Hence, he received instructions from his client to withdraw the Writ Petition as well as the Application dated 17.12.2019 and file a fresh Application for the same cause of

action as per Government Resolution dated 29.06.2016 (Exhibit-A page 25 to the petition). To that effect he has given in writing. Same is taken on record and marked "X" for identification.

3 Hence, the following order is passed:

a. The Writ Petition stands dismissed as withdrawn with liberty to file appropriate Application for the same cause of action as per Government Resolution dated 29.06.2016.

b. If such an Application is filed, the Authority is directed to decide the same on merits without being influenced by the fact that the earlier Application was dismissed.

c. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)