

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2305 OF 2021

Ogawa Society, through its President Sulekha Narayan Kumbhare

Vs.

The Divisional Commissioner, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. L. Khapre, Senior Advocate along with Mr. A. J. Mirza, Advocate for petitioner.
Ms. N. P. Mehta, AGP for respondent Nos.1 to 5/State.
Mr. Dangore, Advocate for respondent No.6.

CORAM : AVINASH G. GHAROTE, J.
DATE : 17/12/2021

Heard Mr. Khapre, learned Senior Advocate along with Mr. Mirza, learned counsel for the petitioner, Mr. Dangore, learned counsel for the respondent No.6 and Ms. Mehta, learned AGP for respondent Nos.1 to 5. Since the present petition challenges an interim order vacating the earlier interim order dated 21.05.2021, the parties are agreeable that the appeal itself can be decided by the learned Divisional Commissioner on merit within a fixed time, accepting which statement, the impugned order dated 31.05.2021 is hereby set aside.

The matter is remanded back to the Divisional Commissioner respondent No.1 to decide the appeal finally within a period of two months from 20.12.2021, during which period, the order dated 21.05.2021 shall continue to remain in force.

Parties are at liberty to place on record all documents with they desire.

(2)

7.wp.2305.2021

The application for intervention by the respondent No.6 as well as all documents, which the parties desire shall be placed on record of respondent No.1 on **20.12.2021**.

Writ Petition is accordingly disposed of in above terms.

JUDGE

Sarkate