

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

WRIT PETITION NO. 4794/2021

**Virendra Motiramji Rode...Versus...Divisional Commissioner, Amraavati &
anr**

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

Court's or Judge's orders

Mr. P.S.Patil, Advocate for the petitioner.
Mr. Sagar Ashirgade, AGP for respondent No.1.
Mr. Sunil Shinde, Advocate for Respondent No.2

CORAM : AVINASH G. GHAROTE, J.

DATE : 07/12/2021

Heard Mr. Patil, learned counsel for the petitioner and Mr. Sunil Shinde, learned counsel for Respondent No.2. Learned AGP for Respondent No.1.

The short ground raised herein is that an application for stay, filed before the Respondent No.1, was rejected without assigning any reason, which is indicated from the impugned order at record page 36, which is a one line order.

Mr. Shinde, learned counsel for Respondent No.2 is unable to justify the said order, considering which the same will have to be quashed and set aside and the matter will have to be remanded back to the Respondent No.1 for deciding the application for stay afresh.

The petition is therefore allowed. The impugned order is quashed and set aside and the matter is remanded back to the Respondent No.1 for deciding the application for stay afresh. The parties are directed to appear before Respondent No.1 on 9.12.2021, whereupon the Respondent No.1 shall after hearing them pass a reasoned order.

The statement of Mr. Shinde, learned counsel for Respondent No. 2 that the petitioner as yet has not been relieved is recorded.

The petition is disposed of. No order as to costs.

JUDGE

rvjalit