

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

MISCELLANEOUS CIVIL APPLICATION NO. 313/2022 IN W.P. NO. 1665/2022 (D)

(RUKMINA PARASHRAM GIRHE & OTHERS **VERSUS** STATE OF MAHARASHTRA & ANOTHER)

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

Court's or Judge's order

Shri Anand Parchure, counsel for the applicants.

Shri D.P. Thakare, Additional Government Pleader for the non-applicants.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : JUNE 15, 2022.

Notice on the application is made returnable forthwith.

Learned Additional Government Pleader Shri D.P. Thakare waives service of notice on behalf of the non-applicants.

The applicants seek review of the order dated 01.04.2022 by which the writ petition was not entertained on the ground that the laches on the part of the applicants were not satisfactorily explained in the writ petition. It is submitted by the learned counsel for the applicants that alongwith the writ petition, various documents were placed indicating the communications between the Authorities for considering the request for allotment of alternate land. One such communication is dated 27.07.2021. It is therefore submitted that the grievance of the applicants deserves to be considered. He further submits that infact the State had been called upon to obtain instructions and file an affidavit in the connected writ petition.

The prayer is opposed by the learned Additional Government Pleader. He however submits that as per the communication dated 27.07.2021 information had been sought on the request made by the applicants.

We have perused the writ petition and we find that the applicants had been pursuing their request for allotment of alternate land pursuant to submergence of their land in Koradi Project. The grievance therefore deserves consideration.

Hence, for aforesaid reasons the order dated 01.04.2022 is recalled and the writ petition is restored to file. The miscellaneous civil application is allowed and disposed of.

WRIT PETITION NO. 1665/2022.

Issue notice to the respondents returnable in four weeks.

Learned Additional Government Pleader Shri D.P. Thakare waives service of notice for the respondents.

To be heard alongwith Writ Petition No.1664 of 2022.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE