

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

WRIT PETITION NO. 3465 OF 2022

PETITIONER :-

Umashankar Pralhad Namdeo,
aged about 47 years, Occup. Editor
Nagpur Samachar Newspaper
(RNI.No.MAH/BIL/2006-18717) Office
Address:7, Kamal Keshav Plaza,
Ramdaspath, Nagpur-440 010.

...VERSUS...

RESPONDENTS :-

1. The State of Maharashtra, through its Secretary, Information and Public Relations Department, Govt. of Maharashtra, Mantralay, Ground Floor, Mumbai-400 032.
2. The Director General, Information and Public Relations Department, Govt. of Maharashtra, Mantralay, Ground Floor, Mumbai-400 032.
3. The Director, Information and Public Relations, Nagpur Division, Commissioner Building, Old Secretariat, Civil Lines, Nagpur. 440 001.
4. The District Information Officer, 3rd Floor, Administrative Building-1, Civil Lines, Nagpur 440 001.
5. The Examiner of books and Publications, Old Customs House, 2nd Floor, Fort Mumbai-400 001

6. The Assistant Director o/o Director, Information and Public Relations, Nagpur Division, Commissioner Building, Old Secretariat, Civil Lines, Nagpur-440 001.

Mr.D.B.Walthare, counsel for the petitioner.
Mrf.N.S.Rao, AGP for respondent Nos. 1 to 6.

**CORAM : SUNIL B.SHUKRE &
G.A. SANAP, JJ.**

DATE : 28.09.2022.

ORAL JUDGMENT (Per :Sunil B.Shukre, J.)

(1) Heard.

(2) Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

(3) On going through the affidavit of respondent No.2, we find that the mistake committed by respondent No.2 in passing the impugned order dated 29.04.2022 has been realised and it is explained by respondent No.2 that it was due to inadvertence on

his part, thereby indicating that it was a bonafide mistake. He has also tendered his apology in the matter. We accept the apology so made by him. We also accept his explanation, as in our opinion, the mistake was committed in a bonafide manner.

(4) With the above referred pleadings, we are of the view that the impugned order dated 29.04.2022 now no longer can sustain itself in the eye of law, being an order without giving appropriate consideration to the issues raised and the points contended by the petitioner.

(5) The petition is therefore, partly allowed. The impugned order is hereby quashed and set aside. The matter is remanded back to the respondent No.2 for fresh consideration and decision in accordance with law, after giving due opportunity of hearing to the petitioner. The petitioner may appear before respondent No.2 on 10.10.2022. We direct respondent No.2 to decide the matter as expeditiously as possible and preferably within eight weeks from the date of the appearance of the

petitioner before him. We permit the petitioner to be represented by his Advocate during the course of hearing before the respondent No.2, which shall be restricted to one day only and shall not last for more than thirty minutes.

(6) Rule is made absolute in the above terms. No costs.

(G.A.SANAP ,J)

(SUNIL B. SHUKRE,J)

Kavita