

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

Civil Application (CAW) No. 2457 of 2022
in

Writ Petition No. 1161 of 2018

[Roopam Ravindra Dhote and ors. ..vs.. Union of India, through Secretary, Ministry of Coal and ors.]

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

Court's or Judge's orders

Mr. K. N. Shukul, Advocate for the applicants/respondent nos. 3 and 4
Dr. (Mrs.) R. S. Sirpurkar, Advocate for the petitioners
Mrs. M. R. Chandurkar, Advocate for respondent no. 1
Mr. M. K. Pathan, AGP for respondent no. 2

CORAM : ROHIT B. DEO AND
ANIL L. PANSARE, JJ.

DATED : 25-11-2022

Respondent Nos. 3 and 4 are seeking extension of time to comply order dated 30-8-2022. The relevant directions that were issued are as follow.

“(i) The Respondent Nos. 3 and 4 shall remove the entire material dumped upon the Petitioners’ land, as expeditiously as possible, and in any case, on or before 31st October, 2022.

“(ii) The Respondent Nos. 3 and 4 shall, if required, get the land measured from the appropriate authority and may also take assistance of the Petitioners to identify the land.

“(iii) The Respondent Nos. 3 and 4 shall restore the land to its original status so as to enable the Petitioners to cultivate the land.

“(iv) The Respondent Nos. 3 and 4 shall clear the access to the Petitioners’ land, as directed vide order dated 9th March 2021.”

2. Learned Advocate, Mr. K. N. Shukul for Respondent Nos. 3 and 4 submits that directions have been partly complied with and seeks time till 31-3-2023 to comply the order.

3. Learned Assistant Government Pleader, Mr. M. K. Pathan submits that he is in receipt of status report towards compliance of direction of the said order and same will be filed in due course.

4. Learned Advocate for the Petitioners, Dr. (Mrs.) R. S. Sirpurkar submits that directions ought to have been complied. The time granted earlier and now sought, in one way, indicates as to what extent, the status of the property has been changed.

5. Considering the submissions made by the Respondent Nos. 3 and 4, since the process of restoration of land to its original status has been already commenced, we deem it appropriate to extend the time till 31-3-2023, but strictly, as a last chance. The effect of delay in complying the order can be looked into in due course.

6. The application is disposed of accordingly.

(Anil L. Pansare, J.)

(Rohit B. Deo, J.)

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