

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

WRIT PETITION NO. 6700 OF 2022

Ku. Ankita d/o Milind Shriramji Tayde

..vs..

The Divisional Commissioner, Amravati and ors.

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

Court's or Judge's orders

Shri D.M. Totey, Advocate for the petitioner.
Shri S.M. Ukey, A.G.P. for respondent no. 1/State.
Shri D.G. Gawande, Advocate h/f Shri M.G. Rathi, Advocate for
respondent nos. 2 and 3.
Shri C.R. Sharma, Advocate for respondent no. 4.

CORAM : VINAY JOSHI, JJ.

DATED : 21/11/2022.

Heard.

2. The only prayer is for seeking direction to respondent no. 1/Divisional Commissioner, Amravati Division, Amravati to grant petitioner an opportunity of hearing in case No.43/MVP Act, 1959 Sec.39(1) Shirala/Amravati/2021-22 (CRN.3076/2022).

3. It is contended that respondent no. 1 without granting an opportunity to the petitioner has closed the matter for final decision.

4. Learned Counsel appearing for respondent no. 4/original complainant conceded that opportunity can be given to the petitioner before the Divisional Commissioner. It appears that nothing would survived if opportunity is given to the petitioner by the Divisional Commission in the pending proceeding.

5. In view of that both sides shall appear before

respondent no. 1/Divisional Commissioner, Amravati Division, Amravati on 25.11.2022 on which the Divisional Commissioner shall fix a date of hearing as per convenience of all parties.

6. The Commissioner on fix date shall given hearing to the petitioner and if the respondents desire shall also give him hearing in response and decide the matter on merits.

7. The petition stands disposed of in above terms. No order as to costs.

(VINAY JOSHI, J.)

Trupti