

Arun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3073 OF 2013

WITH

CIVIL APPLICATION NO. 1502 OF 2014

IN

WRIT PETITION NO. 3073 OF 2013

Kumari Nilima Sunil Rajwade

...Petitioner

Versus

The State of Maharashtra, through Secretary, ...Respondents
Department of Tribal Development & Ors

Mr RK Mendadkar, for the Petitioner.

Ms PN Diwan, AGP, for the State.

**CORAM G.S. Patel &
Neela Gokhale, JJ.**

DATED: 14th February 2023

PC:-

CIVIL APPLICATION NO. 1502 OF 2014:

1. The Petition was dismissed for default. This Civil Application seeks restoration. We allow the Civil Application and make it absolute.

2. Writ Petition No. 3073 of 2013 is restored to file.

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RAMCHNDRA
SANKPAL

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WRIT PETITION NO. 3073 OF 2013:

3. The Petition is unfortunately delayed from 2013. Mr Mendadkar may be right that the narrow question of law is no longer *res integra*. The developments in the law may have overtaken the Petition entirely.

4. Ms Diwan, learned AGP, seeks time to take instructions.

5. We do not think we can delay the final disposal of this Petition much longer.

6. We grant both sides time until 23rd February 2023 at 2.30 pm.

7. Mr Mendadkar will prepare a compilation of the relevant authorities. A copy is to be given to Ms Diwan in advance.

8. We will hear both sides on that day and dispose of the Petition finally.

9. Ms Diwan says that because of the dismissal and the passage of time, she does not have a full set of papers. Mr Mendadkar readily agrees to furnish Ms Diwan with a complete set. by Friday, 17th February 2023.

(Neela Gokhale, J)

(G. S. Patel, J)