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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9235 OF 2023

Nisagra Renewable Energy Pvt. Ltd.

... Petitioner

V/s.

The State of Maharashtra thr.

The Revenue & Forest Department & Ors.

... Respondents

Mr. Girish Godbole, Sr. Advocate a/w. Mr. C. S. Kapadia, Sr. Advocate, Mr. Sumit Shukla & Mrs. Delnavaz Patel i/b. DSK Legal for the Petitioner.

Mr.A. I. Patel Add. G. P. Ms. Kavita N. Solunke, AGP for Respondent Nos.1 to 4-State.

**CORAM : K. R. SHRIRAM &
FIRDOSH P POONIWALLA, JJ.**

DATE : 27th JULY 2023

P. C.:-

1. After the Petition was heard for some time and having considered the prayers sought in the Petition, we pass the following order:-

- a. Petitioner shall file an Appeal along with a Stay Application before the Appellate Authority within two weeks from today. The Stay Application shall be considered and disposed within four weeks of the same being filed. In case the Appellate Authority is not inclined to grant any stay, Petitioner may apply to the Appellate Authority to not to act upon the Order

dated 13th July 2022 for further period of two weeks to enable Petitioner to avail of appropriate remedies and the Appellate Authority may consider that request independently on merits. Until the Stay Application is heard and disposed, no coercive steps to be taken.

- b. Respondent No.4 shall, by 31st July 2023, provide a copy of the letter/report dated 5th July 2023 of the Forest Range Officer to Petitioner together with any other document that Respondent No.4 may wish to rely upon while disposing the notice dated 19th July 2023. On or before 11th August 2023 Petitioner shall file its response to the notice dated 19th July 2023.
- c. Respondent No.4 may pass such orders as he deems fit on the notice, subject to granting a personal hearing to Petitioner, notice whereof shall be communicated atleast five working days in advance. The order to be passed shall be a reasoned order dealing with all submissions of Petitioner. If the order to be passed is adverse to Petitioner, no coercive steps to be taken for a period of two weeks from the date the order is communicated to Petitioner.

- d. All rights and contentions of the parties are kept open.
- e. Petition disposed.
- f. We clarify that we have not made any observation on the merits of the case.

(FIRDOSH P. POONIWALLA, J.)

(K. R. SHRIRAM, J.)