

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

WRIT PETITION 3728/2018

RAMESH S/O VITTHAL KADAM AND OTHERS
VS
THE STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Praneet Vairagade h/f. Mr. B. Dafle, Advocates for the
petitioners
Mrs. K.S. Joshi, Addl. G.P for the respondents

CORAM : ROHIT B. DEO AND
Y.G. KHOBRADE, JJ.

DATED : 24/01/2023

We have heard the learned Counsel for the petitioners.

2. In effect, the petitioners are seeking enforcement of the purported order rendered in 1978 under the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.

3. Apart from the delay involved, we do not find that the order, on which the entire petition is founded, is placed on record.

4. The learned Counsel for the petitioners is not in a position to assure us that the said order shall be obtained/secured and placed on record within the near future.

5. In this view of the matter, we do not see any propriety in keeping this petition pending. As and when, the petitioners lay their hand on the purported order rendered in 1978, they are free to approach the Court afresh.

6. We, however, clarify that even if any further proceedings are filed, the question of delay and laches shall have to be examined on its own merit.

7. The petition is disposed of.

(Y.G. KHOBRAGADE, J.)

(ROHIT B. DEO J.)

SANDIP
MAHADEV
GATE

Personal Assistant to the
Hon'ble Judge
Digitally signed by
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