

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

Writ Petition No.2647/2023

Ravindra V State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.R. Ingole, Adv for petitioner.

Mr. N.R. Patil, AGP for respondent/State.

CORAM : AVINASH G GHAROTE, J.

DATE : 02-05-2023

It is not disputed that the excavation was found to be done in land of gat no.313 admeasuring 0.30 Hectare. The impugned order however, considers the excavation to be done in gat No.288 admeasuring 0.53 HR and is thus, based upon an incorrect factual premise.

2. In view of which, same cannot be sustained and is quashed and set aside. The matter is remanded back to respondent no.3. Since this is remanded for the second time, the respondent no.3 is requested to be cautious about the manner of passing the orders and specifically factuality of the matters.

3. The petitioner shall appear before the respondent no.3 on 08-05-2023 and the proceeding shall be decided within a period of 30 days.

JUDGE

Deshmukh