

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

WRIT PETITION NO. 3888 OF 2021

Sanjay Madhavrao Duddalwar__ Vs. __The Director of Education (High Education)
and ors

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

Court's or Judge's orders

Mr.Z.Z.Haq, Advocate for petitioner
Ms. T.H.Khan, AGP for respondent Nos. 1 & 2

CORAM : AVINASH G. GHAROTE, J.

DATE : 28/03/2023

1] Heard Mr. Haq, learned counsel for the petitioner and Ms. Khan, learned AGP for respondent Nos. 1 & 2.

None appears for the respondent no.3 though served.

2] The petition challenges an interim order dated 31.8.2021 passed by the respondent no.1, whereby the earlier order dated 8.1.2021 passed by the respondent no.2, permitting the petitioner to demolish the godown and construct a shopping mall therein has been stayed.

3] Since the petition is against an interim order, it would be appropriate, if the revision itself is decided by the respondent no.1 within a fixed period of time. In that view of the matter, the petition is disposed of by directing the respondent no.1 to decide the revision pending

before him within a period of 30 days from the date on which notice is served of the date fixed for hearing upon the respondent no.3, since the respondent no.3 is absent in the present proceedings. The interim order dated 5.10.2021 shall continue for the duration of the pendency of the revision.

4] The petitioner is directed to appear before the respondent no.1 on 3.4.2023 and place a copy of this order before him to apprise him of the same, whereupon the respondent no.1 shall fix the date for appearance of respondent no.3 by issuing a notice to him and thereafter decide the matter within the time frame stipulated above.

5] The petition is disposed of in above terms.
No costs.

JUDGE

Rvjalit