

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

PUBLIC INTEREST LITIGATION NO.25 OF 2023

Deepam Jankiprasad Deshmukh, Gondia and ors.

-vs-

State of Maharashtra, Thr. the Revenue and Forest Dept. Thr. Secretary, Mantralaya, Mumbai and
ors.

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

Court's or Judge's Orders.

Shri Anand S. Jaiswal, Senior Advocate with Shri A. A. Choube, Advocate for
petitioners.

Ms N. P. Mehta, Assistant Government Pleader for respondents.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : July 26, 2023

Civil Application (CAO) No.949/2023

1. Perused the Civil Application and heard the learned counsel for the parties.
2. In view of the documents filed along with Civil Application, leave is granted to implead the parties named therein as respondent Nos.4 to 6 in the Public Interest Litigation. The cause title be amended accordingly.
3. Civil Application is allowed and disposed of.

Public Interest Litigation No.25/2023

4. Issue notice to the newly added respondents, returnable in three weeks.
5. Shri Anand S. Jaiswal, learned Senior Advocate for the petitioners invited attention to the communication dated 16/06/2023 issued by the Tahsildar, Gondia to the Sub-Divisional Officer, Gondia. The same is a report submitted in the matter of the request for renewal of mining lease with regard to Gat No.173 and 176 at Mouja Raipur Taluka and District Gondia.

According to the Tahsildar the aforesaid lands that were demanded for independent mining operations have been shown to be recorded as per Nistar entries for 'Grazing'. It is submitted that the said is contrary to the judgment dated 14/08/2015 passed by this Court in Criminal Application No.516/2015 (*Bhaskar s/o Bhagwant Dikkar and ors. vs. State of Maharashtra, Thr. PSO, Dahihanda, Tq. Akot, Dist. Akola*) as well as the Government Resolution dated 12/07/2011.

5. In view of aforesaid till the reply is filed by the respondents, no further steps be taken in the matter of renewal of lease with regard to Gat Nos.173 and 176 referred to herein above.
6. In view of pursis dated 23/06/2023 Shri A. A. Naik, Advocate is discharged and Shri A. A. Choube, Advocate is permitted to continue with the proceedings.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)