

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

WRIT PETITION NO.8202 OF 2022.

(Ramesh s/o Babarao Kale and others Vs. The Collector, Yavatmal and others)

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

Court's or Judge's orders.

 Mr. J. B. Kasat, Advocate for Petitioners.
 Ms. T. H. Khan, AGP for Respondent Nos.1 & 6/State.

CORAM: PRITHVIRAJ K. CHAVAN
AND URMILA JOSHI-PHALKE, JJ.
DATE: 6th OCTOBER, 2023.

The learned counsel for the petitioners in para 16 of the writ petition stated on solemn affirmation that the petitioners have neither moved this Hon'ble Court nor the Supreme Court in respect of the subject matter.

The learned counsel, even while making the submission did not address the said issue.

It is only after the learned AGP has pointed out that this Court had already dismissed a writ petition filed by the petitioners on 24.01.2018 (Writ Petition No.5494/2017), the learned counsel now submits that it was due to inadvertence which cannot be accepted.

It tantamounts to suppression of material fact on record, and therefore, an equitable relief cannot be granted under writ jurisdiction.

The petition stands dismissed. No costs.

(URMILA JOSHI-PHALKE, J.) (PRITHVIRAJ K. CHAVAN, J.)