

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

WRIT PETITION NO.1198/2019

Arvind Vitthalrao Bansod and others

...Versus...

Hon'ble Minister Co-operation and Textiles, Mumbai and others

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

Court's or Judge's orders

Shri P.S. Patil, Advocate for petitioners
Shri N.R. Patil, AGP for respondent nos.1 and 2
Shri A.M. Ghare, Advocate for respondent no.3

CORAM : AVINASH G. GHAROTE, J.

DATE : 30/01/2023

1. Heard Shri P.S. Patil, learned counsel for the petitioners, Shri N.R. Patil, learned Assistant Government Pleader for the respondent nos.1 and 2 and Shri A.M. Ghare, learned counsel for the respondent no.3.

2. The petition challenges the order dated 09/10/2018 (pg.133) passed by the respondent no.1 on the ground that consequent to the order dated 11/09/2018 passed by this Court in Writ Petition No.1921/2018 when the matter which was pending before the respondent no.1 was directed to be heard and decided by directing the contesting parties in Writ Petition No.1921/2018 to appear before the respondent no.1 on 26/09/2018, the impugned order dated 09/10/2018 (pg.134) indicates that it was passed on the basis of hearing said to have

been held on 25/04/2018 and 01/08/2018 and there does not appear to be any date fixed for hearing on 26/09/2018, as directed by this Court, which would indicate that the present petitioners were not heard at all, consequent to the order of this Court dated 11/09/2018.

3. In that view of the matter, the impugned order dated 09/10/2018 cannot be sustained and the same is hereby quashed and set aside and the matter is remitted back to the respondent no.1 for hearing the parties afresh and passing a reasoned order.

4. The parties shall appear before the respondent no.1 on 13/02/2023 at 12:00 noon and no further notice shall be necessary in that regard. Needless to mention that all objections, which the respondent no.3 may have, including that regarding the locus of the petitioners, are kept open. The revision shall be decided within a period of two months from 13/02/2023, during which period, the interim order passed by this Court on 05/04/2018 in Writ Petition No.1921/2018 is directed to be continued.

5. The writ petition is partly allowed in the above terms. No order as to costs.

(AVINASH G. GHAROTE, J.)