

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4084 OF 2024

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The Tata Power Company Ltd and Anr. ... Petitioners

V/s.

State of Maharashtra Through its
Principal Secretary and Ors. ... Respondents

Mr. Girish S. Godbole, Sr. Adv. a/w Mr. Bhushan Deshmukh a/w Mr. H. N. Vakil a/w Mr. Samkit Shah a/w Mr. Farhad Vakil i/b Mulla & Mulla & Craigie Blunt and Caroe for the petitioner.

Mr. Sanjay Jadhav, Under Secretary Revenue and Forest Department Mantralaya Mumbai.

Mr. Atul Damale Sr. Adv i/b Mr. Amit A. Gharte, for respondent No. 5.

Mrs. V. S. Nimbalkar, AGP for the State-Respondent Nos. 1 to 4.

CORAM : AMIT BORKAR, J.

DATED : APRIL 30, 2024

P.C.:

1. By consent of the parties, following order is passed:
2. The impugned order dated 31st January 2024 passed by the Revenue Minister in Revision Application No.3423/1822/P. No.399/J-5 is set aside.
3. The revision application is restored on the file of Principal Secretary Appeal and Revision Government of Maharashtra.

4. The Secretary shall decide the revision application after giving opportunity of hearing to all the parties to revision application and shall pass order on merits in accordance with law.
5. Since, respondent No.6 has failed to appear and since respondent No.6 was not a party to the proceedings, his consent for setting aside the order is not necessary.
6. The writ petition stands disposed of. No costs.
7. All contentions of both sides are kept open to be agitated before the Secretary.

(AMIT BORKAR, J.)