



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

Writ Petition (WP) No. 258 of 2022

The State of Maharashtra through the Principal Secretary, Agriculture and
Padum Department, Agricultural Ministry, Mantralaya, Mumbai and
others
Versus
Shri Shalikram Raghunathji Ramteke and others

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

Court's or Judge's Order

Shri N.A.Autkar, AGP for the Petitioners/State.
Shri R.V.Shiralkar, Advocate for the respondent no.1.

CORAM : N.R.BORKAR, J.
DATED : 14th AUGUST, 2024.

The respondent no.1 herein has filed the suit
against the present petitioners and respondent nos. 2 to
4 for damages.

2. By order dated 2nd July, 2018, the trial Court
directed the suit to proceed without written statement of
the present petitioners.

3. By the order impugned in this petition dated
4th October, 2019, the trial Court has rejected the
application filed by the present petitioners to permit

them to file written statement on record by recalling the order dated 2nd July, 2018.

4. I have heard learned Assistant Government Pleader for the petitioners/State and learned counsel for the respondent no.1 and perused the impugned order.

5. The trial Court has rejected the application by taking very hyper technical view of the matter. Considering the over all facts and circumstances of the case, it would be appropriate to permit the petitioners to file the written statement. The order impugned is, therefore, set aside. The trial Court shall take the written statement filed by the present petitioners on record and then shall decide the suit in accordance with the law.

6. Considering the fact that the suit is of the year 2018, the trial Court shall endeavor to dispose the suit within one year from the date of receipt of copy of this order.

7. The writ petition is disposed of in above terms.

[N.R.BORKAR, J.]