



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

Writ Petition (WP) No. 3264 of 2024

Ishwar S/o Asaram Kalmbe

Versus

Sau. Suchita Chandrashekhar Padole 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 A.M.Kukday, Advocate for the petitioner.

Shri V.A.Dahiwal, Advocate for the respondent no.1.

Shri B.M.Lonare, AGP for the respondent nos. 2, 3, 6 &
7/State.

CORAM : N.R.BORKAR, J.

DATED : 3rd DECEMBER, 2024.

This petition takes exception to the order dated 22nd April, 2024 passed by respondent no.2 - the Additional Commissioner, Nagpur Division, Nagpur in V.P.A.Case No. 39(1)/146/2023-24.

2. Respondent no.1 herein had filed an appeal before respondent no.2 against the order of respondent no.3 – the Collector, Bhandara dated 24th January, 2024.

3. By the order impugned, respondent no.2 has partly allowed the appeal and remanded the matter back

to respondent no.3 for deciding it afresh. Respondent no.2 to allow the appeal has relied upon the order passed by this Court in Writ Petition No. 8618 of 2018.

4. The learned counsel for the petitioner submits that order passed by this Court in Writ Petition No. 8618 of 2018 has nothing to do with the dispute between the parties to the present matter. It is submitted that said writ petition was filed against the order in altogether different matter. In support of submission, the learned counsel for the petitioner has placed on record the copy of the order passed by this Court in Writ Petition No. 8618 of 2018. It is submitted that, the order impugned therefore cannot be allowed to stand.

5. The learned Assistant Government Pleader submits that appropriate order may be passed.

6. I have perused the order passed by this Court in Writ Petition No. 8618 of 2018. The said writ petition was filed against the order in altogether different matter. The order passed in the said writ petition has nothing to do with the dispute between the parties to the present matter. The order impugned is therefore quashed and set aside.

7. The respondent no.2 shall decide the appeal filed by respondent no.1 afresh within a period of two months from the date of appearance of the parties.
8. The parties shall appear before the respondent no. 2 on **10th December, 2024.**
9. The writ petition is disposed of in aforesaid terms.

[N.R.BORKAR, J.]