

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

MISC. CIVIL APPLICATION NO. 396 OF 2024 IN
WRIT PETITION NO.251 OF 2023

Shri Bapurao Marotrao Deshmukh (died) thr. LR's

..vs..

State of Maharashtra and ors.

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

Court's or Judge's orders

Shri R.R. Gour, Advocate a/w Mrs. A.M. Raut, Advocate for the
applicants.

Shri N.R. Patil, Assistant Government Pleader for the State.

CORAM: VINAY JOSHI AND M.S. CHANDWANI, JJ.
DATED : 12/07/2024.

Heard.

2. The applicants are seeking a review of the order of this Court dated 12.04.2023 passed in Writ Petition No.251 of 2023 by which the petition was disposed of on the premise of the statement made by the Assistant Government Pleader.

3. Being aggrieved by the order passed by the respondent no.2 The Principal Chief Conservator of Forest (Protection), State of Maharashtra, Nagpur, the petitioner has filed further appeal before the original respondent no.1 the State of Maharashtra. In Writ Petition, the petitioner seeks for directions to the respondent no.1 to expeditiously decide the said pending appeal no.MVS/08/2015/Case No.157/F-6. It appears that on 12.04.2023 the then learned A.G.P. made a submission to this Court that the appeal has been decided on merits. Basing on said submission, this Court

has disposed of the writ petition.

4. Learned Counsel for the applicant would submit that the statement made in this Court was factually incorrect since the appeal is still pending and is now, kept for hearing on 16.07.2024.

5. Learned A.G.P. conceded the position. Apparently, disposal of writ petition was on misstatement, and thus, error has occurred.

6. In view of the above, the review application is allowed and disposed of. We hereby recall our earlier order dated 12.04.2023 and restore the writ petition no. 251 of 2023 on the file.

7. The matter be placed on 18.07.2024.

(M.S. CHANDWANI, J.)

(VINAY JOSHI, J.)

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