



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

WRIT PETITION NO. 1307/2025

M/s. Garuda Amusement Park (Nagpur) Vs. The State of Maharashtra and Anr.

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

Court's or Judge's orders

Mr. A. P. Kalmegh, Advocate for Petitioner.
Ms S. S. Jachak, A.G.P. for Respondent No.1/State.
Ms Ritu Jog, Advocate for Respondent No.2.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 05/04/2025.

Heard.

2. In compliance with our last order dated 11.03.2025, learned counsel appearing for the respondent No.2 has placed on record communication dated 04.04.2025 thereby assuring that the petitioner will be called for hearing on 24.04.2025 in the matter of adjudication of the issue pursuant to the order dated 19.06.2023. Upon *prima facie* reading of the impugned order, it depicts that the same is temporary in nature and was passed without hearing the petitioner.

3. In the aforesaid background, we deem it appropriate to take the said communication dated 04.04.2025 tendered by the learned Counsel for the respondent No.2 on record and the same be marked "X" for identification. Since the contents thereof assure about grant of personal opportunity of hearing, the same is accepted.

4. As far as the issue as regards the final decision to be taken in the matter of the impugned order dated 19.06.2023 is concerned, since it is assured that the petitioner will be heard on 24.04.2025 as prayed by the learned Counsel for

the petitioner, we permit the petitioner to appear before respondent No.2 on 24.04.2025 at 11.00 a.m.

5. We expect the respondent No.2 to grant personal hearing to the petitioner, pass appropriate reasoned order in the matter by 31.05.2025 and communicate the same to the petitioner expeditiously.

6. We further observe that the respondent No.2 shall pass appropriate order as observed hereinabove without being influenced by the disposal of this petition or the petition at the Principal Seat being Writ Petition No.14497 of 2023.

7. We are sensitive to the order passed at the Principal Seat in **Writ Petition No.14497 of 2023** [*M/s Garuda Amusement Park Pvt.Ltd. Versus The State of Maharashtra & Another*] wherein this very order was under challenge and that writ petition was withdrawn *vide* order dated 12.11.2024. However, we are showing indulgence to the extent of abovereferred directions in view of the fact that the order impugned dated 19.06.2023 is temporary in nature and for the last two years, no finality is given to the said order either way, viz. either by vacating the stay or by confirming the same.

8. In view of the above, we deem it appropriate to dispose of the petition.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)