



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

CIVIL APPLICATION (CAW) NO. 1489 OF 2025

IN

WRIT PETITION NO. 924 OF 2025(D)

(Ram S/o Ambadas Agrawal

Vs.

The Union of India, Thr. its Secretary, Thr. Ministry of Commerce and
 Industries, Petroleum and Explosives Safety Organization (PESO),
 Nagpur & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. S.S. Sharma, Advocate for the Petitioner.

Mr. N.S. Deshpande, DSGI for the Respondent Nos. 1 to 3.

Ms. Kalyani Marpakwar, AGP for the Respondent Nos. 4 to 6/State.

Mr. P.P. Deshmukh, Advocate for the Respondent No.7.

**CORAM: NITIN W. SAMBRE, AND
 M.M. NERLIKAR, JJ.**

DATED : 17th JULY, 2025

1. Replace paragraphs 5 and 6 of the order dated 08.07.2025 with the following paragraphs as under:

“5. The Division Bench of this Court while deciding Writ Petition No. 1177/2020 on 02.12.2021 has already declared that the Government Resolution dated 19.12.2018 is *ultra vires* to the Explosives Rules, 2008 in particular, Rule 103 of the said Rules and accordingly quashed the same.

6. A further direction was issued by

remanding the matter back to the Respondent No.4/District Magistrate i.e. the Collector of the District to consider the case in the light of the provisions of Rule 103 of the Explosives Rules, 2008.

7. Though the prayer for adjournment is sought by the learned AGP, we are of the view that since the issue is settled by the judgment in Writ Petition No. 1177/2020 (Mintech Explochem India LLP Vs. The Union of India and others), we deem it appropriate to allow the Writ Petition.

8. We direct the District Magistrate to take the decision afresh in the light of Rule 103 of the Explosives Rules, 2008. We permit the Petitioner to appear before the District Magistrate on 29.07.2025, who is directed to take decision and communicate the same within a period of three weeks thereafter.”

2. The order dated 08.07.2025 is corrected accordingly and corrected order be uploaded.

3. The Application stands **allowed** in the above terms.

(M.M. NERLIKAR)

(NITIN W. SAMBRE, J.)