ITEM NO.27 COURT NO.14 SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2010
CC 11311/2010

(From the judgement and order dated 18/11/2009 in WP No. 3560/2009 of The HIGH COURT OF BOMBAY)

STATE OF MAHARASHTRA & ORS. Petitioner(s)

VERSUS

VINAYAK VISHNU DHOPAVKAR & ANR Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP

Date: 20/09/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr.Uday B.Dube,Adv.
Mr.Sanjay Kharde,Adv.
Ms. Asha Gopalan Nair,Adv.

For Respondent(s) Mr.Arun R.Pedneker,Adv.
Mr. V.N. Raghupathy,Adv.

UPON hearing counsel the Court made the following
O R D E R

Delay condoned.

After hearing the learned counsel appearing for the parties, we are of the considered opinion that the impugned

order passed by the High Court does not call for any interference particularly in view of the fact that what the High Court has done to remit back the appeal of the respondents to the State Government for denovo hearing and decision in accordance with law.

During the course of the arguments before us, it is pointed out on behalf of the petitioner herein that the State Government has already undertaken such an exercise. Without expressing any opinion on the said contention, we only observe that the State Government may consider the said contention also while complying with and giving effect to the order of the High Court. We also clarify that while making such observation, we are not in any manner interfering with the order passed by the Division Bench of the Bombay High Court in Writ Petition © No. 4184 of 1995 disposed of on 12.11.1998 which according to us has become final and binding.

The Special Leave Petition is disposed of in terms of this order.

(KUSUM SYAL)
SR. P.A.

(RENU DIWAN)
COURT MASTER