

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

912 WRIT PETITION NO.4937 OF 2015

DATTATRAYA DAGDU TAMBE
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Jadhavar Santosh S.
Mr. VS Badakh, AGP for Respondents: 1 & 2;
Mrs.MD Thube-Mhase, Adv. For Resp.No.4

**CORAM : S.S.SHINDE &
 P.R.BORA, JJ.**

DATE : 8th December, 2015.

PER COURT :

1) Heard. This petition takes exception to order dated 17.11.2014 issued by Respondent No.2 (Exhibit-D page 29 of compilation of the writ petition).

2) Upon hearing the counsel for the parties and upon perusal of the grievances raised in the petition, adjudication of the prayers in the petition would mean to adjudication of documentary evidence and disputed questions of facts. In that view of the matter, since the Divisional Commissioner, who is the controlling authority in the matters connected with rehabilitation of affected persons in the division,

we direct Divisional Commissioner, Nasik to hear the parties; allow them to place on record the documents in support of their respective contentions and take appropriate decision, as expeditiously as possible and preferably within a period of four months from today.

. The parties to appear before the Divisional Commissioner on 22nd December, 2015.

3) In the light of above, the concerned authority to find out correctness of the order impugned in this petition and take appropriate decision in accordance with law.

4) Interim relief granted earlier to remain in operation till decision is taken by the Divisional Commissioner.

5) With the observations, as above, the writ petition is disposed of.

6) Parties to act on authenticated copy of this order.

(P.R.BORA)
JUDGE

(S.S.SHINDE)
JUDGE

bdv/