

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

LETTERS PATENT APPEAL ST. NO. 12938 OF 2012

..
MHALU S/O VITTHAL SHINDE (SINCE DECEASED THROUGH LR)
VS
CHANDRABHAN BALAJI KATORE (SINCE DECEASED THROUGH LR)

...
Mr. Rajendra Deshmukh, Adv. For applicants;
Mr. RN Dhorde, Sr.Counsel h/for Mr. VR Dhorde, adv.
For Respondent No.1-A

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 10th JULY, 2015.

PER COURT :

- 1) Heard respective counsel for parties.
- 2) We have perused the order dated 23.2.2012 passed by learned Single Judge. It cannot be disputed that the recovery of payment of Nazrana amount is only meant for fiscal purposes and even if alienation is made without permission, recovery of the Nazarana can be made at later point.
- 3) In the instant matter, since the Nazrana amount has already been paid by the respondents, the land in possession of the respondents is not liable to be forfeited and the order impugned before the learned Single Judge has been rightly quashed and set

aside. No interference is called for in the instant Letters Patent Appeal and the same stands rejected. In view of rejection of the LPA, pending civil application for stay does not survive and the same stands disposed of.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/