

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

WRIT PETITION NO. 6417 OF 2014

Hanuman s/o Nathuji Gatane,
Age: 45 years, Occ: Service,
R/o. Wadali, Taluka Shrigonda,
District Ahmednagar.

...Petitioner

versus

1. The Sub-Divisional Officer,
Shrigonda-Parner Division,
Ahmednagar, Taluka Shrigonda,
District Ahmednagar.
2. The Tahsildar,
Shrigonda, District Ahmednagar.
3. Vishwanath Kashinath Kale,
Age: 65 years, Occ: Agri.,
R/o. Wadali, Taluka Shrigonda,
District Ahmednagar.
4. Dattatraya Popat Dange,
Age: years, Occ: Agri.,
R/o. Wadali, Taluka Shrigonda,
District Ahmednagar.
5. Shobha Dattatraya Dange,
Age: years, Occ: Agri.,
R/o. Wadali, Taluka Shrigonda,
District Ahmednagar.

...Respondents

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Mr. R.R. Karpe, Advocate h/f Mr. Sandeep S. Deshmuk, Advocate
for petitioner.

Mr. R.P. Phatke, A.G.P. for respondent/State.

Mr. A.V. Hon, Advocate for respondent Nos. 3 to 5.

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CORAM : N.W. SAMBRE, J.

DATE : 18TH MARCH, 2015

ORAL ORDER :

. It is not in dispute that the plaint preferred before the Tahsildar under the Mamlatdars Courts Act is not in tune with the requirement of Sections 7,8 and 9 of the said Act.

2. In view thereof, the respondent No.3 is granted liberty to amend the plaint before the Mamlatdar, which is at Annexure-A. He shall replace the plaint with that of amended plaint within period of three weeks from today.

3. The Mamlatdar shall proceed to decide the same case afresh having regard to the provisions of Mamlatdars Courts Act and order passed by this Court in Writ Petition No. 10640 of 2012, copy of which shall be produced by the petitioner before Mamlatdar within three weeks.

4. The Mamlatdar is directed to decide the proceedings before him expeditiously.

5. The writ petition is allowed in above terms.

[N.W. SAMBRE, J.]