

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 9594 OF 2015**

Nanasaheb Jayram Rane & Ors. ... Petitioners

V/s.

The Tahsildar, Malshiras & Ors. ... Respondents

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Mr. Siddheshwar B. Kalel, Advocate for the Petitioners.  
Mr. P. P. Kakade, AGP for Respondent - State.  
Mr. S. B. Shetye, Advocate for Respondent No.3.

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**CORAM : NARESH H. PATIL AND  
S.B. SHUKRE, JJ.**

**DATED : OCTOBER 8, 2015.**

**P.C.**

Heard.

2           We have perused the circle inspector's report dated 11<sup>th</sup> September, 2015 and the impugned order dated 10<sup>th</sup> September, 2015, as also the Roznama. We have also considered the submissions advanced.

3           In the facts, considering the submissions advanced, we are of the view that the matter needs to be remanded back to

the Tahsildar for fresh consideration of the objections raised on merits.

5            Hence, we dispose of the petition with the following order:

**:: O R D E R ::**

- (i)    The impugned order is quashed and set aside.
- (ii)   The matter is remanded back to the Tahsildar for fresh consideration of objections raised on merits.
- (iii)   The learned counsel Shri Shetye to intimate the order to the Tahsildar.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)