

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.3390 OF 2015

Vivek Pravin Kumar Nayak. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WRIT PETITION (L) NO.3391 OF 2015

Rameshkumar Mewalal Gupta. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WRIT PETITION (L) NO.3392 OF 2015

Vijay Bahadur Vishvakarma. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WRIT PETITION (L) NO.3393 OF 2015

Meena Nagesh Chandan. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WRIT PETITION (L) NO.3457 OF 2015

Shankar Ramchandra Sonawane. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WRIT PETITION (L) NO.3458 OF 2015

Iranna Ramdas Dhangar.

.. Petitioner

Vs

The State of Maharashtra and Others.

.. Respondents

—

WRIT PETITION (L) NO.3475 OF 2015

Narayan Eranna Dhangar.

.. Petitioner

Vs

The State of Maharashtra and Others.

.. Respondents

--

Shri Yuvraj D. Patil for the Petitioners.

Shri Sharat Mehta, AGP for the Respondent No.1-State.

Shri Vinodl Mahadik for the Respondent Nos.2 and 3.

--

CORAM : A.S. OKA & G.S. PATEL, JJ

DATED : 11TH DECEMBER 2015

PC.

1. Not on board. Taken on board.

2. Heard the learned counsel appearing for the Petitioners and the learned counsel appearing for the second and third Respondents. The learned AGP represents the first Respondent.

3. The issues raised in these Petitions have been decided in Writ Petition (L) No.2831 of 2015 (*Sushila Ramesh Kharat v. The State of Maharashtra and Others*) on 19th October 2015. Therefore, these Petitions will be governed by the said judgment and order. Hence,

for the reasons recorded in the said judgment and order, we pass the following order:

ORDER :

- (a) Both the impugned orders dated 30th April, 2015 and 17th April, 2015 are quashed and set aside;
- (b) The first appeal of the petitioner is restored to the file of the Assistant Commissioner, T-ward;
- (c) We direct the petitioner to appear before the Assistant Commissioner, T-ward on 15th December, 2015 at 11.00 a.m. for fixing the schedule for hearing;
- (d) After giving an opportunity of being heard to the petitioner and after considering the documents produced by the petitioner, the Assistant Commissioner shall pass a fresh order by recording reasons in brief;

- (e) While deciding the appeal, the Assistant Commissioner shall keep in mind the observations made by this Court in the judgment and order dated 19th October 2015;
- (f) In the event, there is an occasion for the petitioners to prefer second appeals, it is obvious that the second appellate authority shall also decide the appeals after considering all the documents and by recording findings in brief;
- (g) The petitions are made absolute on the above terms;
- (h) All concerned to act upon authenticated copy of this order.

(G.S. PATEL, J)

(A.S. OKA, J)