

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.2816 OF 2016
WITH
WRIT PETITION NO.2821 OF 2016

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.B.R.Sable, advocate for the Petitioners.
 Mr.A.M.Phule, A.G.P for the State.

CORAM : S.V.GANGAPURWALA AND
A.I.S.CHEEMA, JJ.
Date : 09.03.2016.

PER COURT :

1. Heard.
2. Mr.Sable, learned counsel submits that applications were made for correction of a clerical mistake in the consolidation scheme, however, the same were rejected even without hearing the petitioners.
3. Mr.Phule, learned A.G.P submits that the consolidation scheme was implemented long back and after a long delay, the applications were filed. The order is rightly passed.
4. It appears that the applications were filed invoking Section 31 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act. Before passing any order on the

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said applications, the authority was required to adhere to the requirement of the principles of natural justice. It could have passed the order after hearing the petitioners, who have filed that applications.

5. Considering the fact that the order is passed without notice to the petitioners and without hearing the petitioners, the impugned orders are quashed and set aside. The authority shall consider the applications filed by the petitioners and pass orders in accordance with law after hearing the petitioners and all other concerned party. The petitioners shall appear before the concerned authority on 4.4.2016.

6. The Writ Petitions are disposed of. No costs.

(A . I . S . CHEEMA , J .)

(S . V . GANGAPURWALA , J .)

Dt.09.03.2016.
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