

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

WRIT PETITION NO.7422 OF 2017

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.R.V.Bansode for the Petitioner

Mrs.M.S.Bane, A.G.P for the respondent nos.1 to 3

CORAM : K. K. TATED, J.

DATE : JULY 4, 2017

P.C.:

1 Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 Heard the learned counsel for the parties.

3 By this petition under Article 227 of the Constitution of India the Petitioner challenges the judgment and order dated 16.6.2017 passed by respondent no.2 Additional Commissioner, Pune Division, Pune in Appeal/Gramp/Pune 81/2016 setting aside the order dated 4.8.2016 passed by respondent no.3 in Dispute Application No.49 of 2016.

4 The learned counsel for the petitioner submits that though the petitioner brought on record birth certificate of respondent no.5's, two

daughters and one son, same was not considered by the authority.

5 Considering the submissions made by the learned counsel for the petitioner and the impugned order dated 16.6.2017 passed by respondent no.2, I am satisfied that the petitioner has made out a case for following order :

- a) Office is directed to issue notice before admission to the respondent stating that matter will be decided finally at the stage of admission itself, returnable after 3 weeks.
- b) In addition to usual mode of service, petitioner is permitted to serve Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.
- c) The learned A.G.P.waives service for the respondent nos.1 to 3.

(K.K.TATED, J.)