

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8254 OF 2016

Bharatiya Charitrakosh Mandal

..Petitioner.

Vs.

The State of Maharashtra & Ors.

..Respondents

Ms. Kalyani Tulankar for Petitioner.

Mr. P.G. Sawant AGP for Respondent-State.

**CORAM: RANJIT MORE AND
A.S. GADKARI, JJ.**

DATE: 15th JULY 2016

P.C.:

Heard the learned counsel for the Petitioner and the learned
AGP.

2 By Order dated 30 April 2015 the District Collector, Pune came to the conclusion that the Petitioner has committed breach of terms and conditions on which the suit property was allotted to it and therefore directed that the possession of the said property should be taken. This Order was challenged by the Petitioner by filing an appeal before the

Additional Commissioner, Pune Division. The Additional Commissioner by his Order dated 31 July 2015 dismissed the Petitioner's appeal. Petitioner thereafter preferred second appeal/revision before the Revenue Minister, State of Maharashtra.

3 The grievance of the Petitioner is that, though it has filed appeal way back on 5 September 2015, the same is not yet decided and in the meanwhile the Tahasildar, Pune has given notice dated 5 July 2016 thereby directing the Petitioner to vacate the said suit property. It is the case of the Petitioner that they have not committed any breach of the terms and conditions of allotment of the suit property.

4 In view of the above and in the interest of justice, we deem it fit to dispose of the Writ Petition by directing the Revenue Minister to decide the appeal filed by the Petitioner, a copy of which is annexed to the present petition at page no.38, on its own merits as expeditiously as possible and preferably within a period of two months from the date of receipt of this Order. Ordered accordingly.

5 Needless to mention that the Revenue Minister shall decide the Petitioner's appeal in accordance with law and on its own merit.

6 Till disposal of the said appeal, the Order passed by the District Collector, Pune dated 30 April 2015 and confirmed by the

Additional Commissioner, shall remain stayed. The learned AGP to communicate this Order to the concerned Tahasildar.

(A.S. GADKARI,J.)

(RANJIT MORE, J.)