

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3170 OF 2016

[Nagorao s/o Hiranman Gedam .vs. The State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.M. Kulsange, counsel for the petitioner,
Mrs. K.R. Deshpande, AGP for respondent nos.1 to 3.

CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : JUNE 30, 2016.

By this writ petition, the petitioner has challenged the order of the Tahsildar, Kelapur, dated 28.1.2016 directly before this court on the ground that the Maharashtra Revenue Tribunal, Nagpur was not functioning at the relevant time, in the absence of the Presiding Officer. The petitioner had also sought the dismissal of the appeal filed by the respondent nos.4 to 6 before the Maharashtra Revenue Tribunal, Nagpur.

It is stated on behalf of the petitioner that the writ petition was filed at a time when the Maharashtra Revenue Tribunal was not functioning in the absence of both the Presiding Officers. It is stated that, in the meanwhile, the Tribunal started functioning with one Presiding Officer but the said Presiding Officer is also likely to retire on 7.7.2016. It is stated that the writ petition could be disposed of with a direction to the respondent-State Government to make the appointment of the Presiding Officer on the Tribunal and ensure that it is functioning, as early as possible.

Since the only prayer made by the petitioner appears to be innocuous and just and reasonable, we dispose of the writ petition with a direction to the State Government to ensure that

the Maharashtra Revenue Tribunal functions with the Presiding Officer and the same is not vacant for a long time. Order accordingly. No costs.

JUDGE

JUDGE

Gulande