

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 5312/2016

(Shri Rajkumar s/o Jainarayan Jaiswal vs. The State of Maharashtra and others)

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

Court's or Judge's order

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Mr. B.N. Mohta, Advocate for the petitioner
Mr. I. Damle, Asst. Government Pleader for Respondent Nos.1 & 2
Mr. N.B. Bargat, Advocate for Respondent No.3

**CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.
DATED : 1st December, 2016.**

Heard.

By this Writ Petition, the petitioner has challenged the order of the respondent no.2-Tahsildar, Hingna, dated 2.6.2016.

It is stated on behalf of the petitioner that the order of the Tahsildar is illegal. It is stated that the petitioner was not a party to the said proceedings before the Tahsildar.

Shri N.B. Bargat, the learned counsel for the respondent no.3 states that the very order dated 2.6.2016 is challenged by some other parties, before the Maharashtra Revenue Tribunal and if the petitioner is interested, the petitioner can also participate in the said proceedings, by seeking his joinder. It is stated that in the proceedings before the Maharashtra Revenue Tribunal, the impugned order of the Tahsildar is stayed.

Since certain factual issues are involved in this Writ Petition, it would be appropriate for the petitioner to file an application before the Maharashtra Revenue Tribunal for his joinder in the proceedings that are pending before the

Maharashtra Revenue Tribunal. Since the Maharashtra Revenue Tribunal is considering the correctness or otherwise of the order passed by the Tahsildar, the petitioner may make an appropriate application before the Tribunal for his joinder in the proceedings.

In the aforesaid set of facts, we dispose of the Writ Petition, with no order as to costs. The petitioner is free to seek his joinder in the proceedings pending before the Tribunal.

The points raised in the petition are, however, kept open.

JUDGE

JUDGE

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