

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.1654 OF 2017

Shahaji S/o Babarao Pawar and another Vs. The State of Maharashtra through Secretary and others.

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.N.J.Patil, advocate for the petitioners.
Mr.R.B.Bagul, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**
Date : 08.02.2017.

PER COURT :

1. Heard.
2. Leave to amend prayer clause.
3. The learned counsel for the petitioner submits that petitioner had moved an application for correction in the consolidation record along with an application for condonation of delay, however, without hearing the petitioner, the authority rejected the said application filed by the petitioner.
4. Learned A.G.P. submits that the Consolidation Scheme was implemented long back and there is abnormal delay.
5. It appears that the petitioner had filed an application for correction in the consolidation record along with an application for

condonation of delay.

6. It is trite that whenever an order adverse to the interest of any party is passed, adherence to the principles of natural justice is mandatory. The impugned order is passed without hearing the petitioner and without notice to the petitioner.

7. Considering above, the impugned order is quashed and set aside. The authority shall decide the application filed by the petitioner for condemnation of delay and any such application after hearing the petitioner and all other parties concerned on its own merits in accordance with law.

8. With this observation, the Writ Petition is disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.08.02.2017.
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