

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1557 OF 2016

DAGADU HARI CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Petitioner : Shri Jain R.N.
AGP for Respondents: Shri Deshmukh S.P

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CORAM : RAVINDRA V. GHUGE, J.
Dated: July 19, 2017

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PER COURT :-

1. The Civil Court by judgment dated 8.6.2011 has decreed RCS No.59 of 2009 filed by the petitioner and has declared him to be the owner and title holder of the suit property. Issue is with regard to the implementation of the said judgment.

2. The learned AGP places on record a communication dated 17.7.2017 (3 pages) and submits that the pending proceedings in the light of the application of the petitioner, dated 22.6.2013, can be considered and can be decided within fifteen days. Said communication is taken on record and marked as Exhibit "X" for identification.

3. Learned counsel for the petitioner, therefore, submits that after a proper opportunity of hearing is given his application dated 22.6.2013 can be disposed off and hence this petition can be disposed off.

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4. As such, by recording the statement made by the Tahsildar, Nandurbar vide Exhibit "X", this petition is disposed off. Needless to state, the Tahsildar will follow the due procedure and after giving a reasonable opportunity of hearing to all concerned with the said matter, can decide the application Exhibit 22.6.2013, on it's own merits, within a period of sixty days from 5.8.2017.

5. The petitioner agrees to appear before the Tahsildar, Nandurbar on 5.8.2017 at 2.00 pm.

(RAVINDRA V. GHUGE, J.)

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