

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2448 OF 2017

Shaikh Baba S/o Shaikh Vazir

Petitioner

V E R S U S

The State of Maharashtra & others

Respondents

*Mr. Mobin H. Shaikh, Advocate for the petitioner
Mr. M.B. Bharaswadkar, A.G.P. for the respondent
Nos.1 & 2/State*

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

DATE : 1ST MARCH, 2017

PER COURT :

1. Learned counsel for the petitioner submits that in the year 2008, the order was passed by the S.D.O. in Succession proceeding filed by the petitioner. The said order is assailed by respondent Nos.3 to 9 before respondent No.2. Respondent No.2 had passed the original order and now the appeals are pending before the said authority who had passed the original order. The same be directed to be dealt by the another officer of the said branch.

2. The learned A.G.P. submits that the S.D.O., who had passed the original order, subsequently he is promoted as Additional Collector. If the said files are produced before him, he would make a noting and refer to the Collector for hearing the matter by some other authority.

3. The petitioner may file application with the Collector, Aurangabad for transferring the matter to the other officer of the same branch i.e. the officer other than the one who had passed the original order. If such an application is filed, the Collector shall pass the appropriate order expeditiously.

4. In view of above, Writ Petition is disposed of. No costs.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)

