

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8173 OF 2016

Bhagwat s/o. Vithoba Hole .. Petitioner
Age. 55 years, Occ. Agri.,
R/o. Dalvewadi, Taluka Chakur,
Dist. Latur.

Versus

1. The State of Maharashtra .. Respondents
Through Sub Divisional Officer,
Ahmedpur, Dist. Latur.
2. Narmada w/o. Madhukar Hole
Age. Major, Occ. Household,
R/o. Dalvewadi, Taluka Chakur,
Dist. Latur.
3. Sau.Ashabai w/o. Parmeshwar Madne
Age. 25 years, Occ. Household,
R/o. Ganjur, Tal. Chakur,
Dist. Latur.

Mr.G.D. Kale, Advocate for the petitioner.
Mr.S.K. Tambe, advocate for respondent/State.
Ms.Savita E. Madne, Advocate for respondent No.2.

**CORAM : S.B. SHUKRE, J.
DATED : 14.03.2017**

ORAL JUDGMENT :-

1. Rule. Rule made returnable forthwith and heard finally by consent.

2. The impugned order dated 11.07.2016 is patently illegal as it does not give any reason. Not a single reason has been mentioned in the order. Learned AGP as well as learned Counsel for respondent No.2 also could not point out to me the presence of any one reason in the said order. The order is arbitrary and therefore it deserves to be quashed and set aside.

3. The writ petition is allowed. The impugned order dated 11.07.2016 is quashed and set aside. The matter is remanded back to respondent No.1 i.e. the Sub-Divisional Officer, Ahmedpur for deciding the said application in accordance with law, after giving both sides reasonable opportunity of hearing.

4. Rule made absolute in above terms. No costs.

[S.B. SHUKRE, J.]