

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

WRIT PETITION NO. 14326 OF 2017

RAMRAO DADARAO KARANDE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr Bobade Yogesh K
AGP for Respondents: Mr N T Bhagat

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CORAM : V.K. JADHAV, J.
Dated: December 12, 2017

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PER COURT :-

1. Learned counsel for the petitioners submits that, deceased Asarabai during her lifetime had instituted a R.C.S. No.111/2015 against Forest Department for declaration that, notice dated 4.2.2015 issued by the Forest Department is illegal and not binding on her. Learned counsel submits that, said notice came to be issued by the Forest Department in respect of land survey no.668 and a notice has been issued by the Forest Department to cancel the licence to run saw-mill on the land s.no.668. It appears from the pleadings of the parties that deceased Aasarabai had instituted the said suit against the Forest Department for the

proposed action to cancel the licence to run a saw mill. Admittedly, these petitioners are not concerned with the saw mill and their interest is limited to the extent of land S.No.668 on which the said unit has been established. In view of the same, the trial court has rightly observed that, in RCS No.111/2015 there is no dispute about the land S.No.668. Trial court has also given reference to the notice issued by the Forest Department in which there is no mention or reference of names of present petitioners and even petitioners names are also not mentioned in the licence. Trial court has rightly come to the conclusion that the petitioners are not the necessary parties to the said suit. No interference is required in the impugned order. There is no substance in this writ petition. Writ Petition is hereby dismissed. No costs.

(V.K. JADHAV, J.)

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