

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7115 OF 2013

SHIVSHANKAR BABURAO KABADE
VERSUS
SHIVAJI GOPA JADHAV

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Advocate for Petitioner : Mr. V.D. Gunale
Advocate for Respondents : Mr. P.N. Sonpethkar

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CORAM : V. K. JADHAV, J.
DATED : 28th NOVEMBER, 2017

PER COURT:-

1. Being aggrieved by the decision of Sub Divisional Officer, Osmanabad in Case No. 2001/ROR A 139, dated 25.3.2002, the petitioner preferred appeal before the Additional Collector, Osmanabad. The Sub Divisional Officer has passed the said order and thereby cancelled the mutation entry No. 680 passed in favour of the petitioner herein. The learned Additional Collector, Osmanabad by order dated 27.4.2007 has felt no necessity to interfere in the decision of the Sub Divisional Officer in appeal, however, directed the Tahsildar, Lohara to take decision regarding the copies of Falni-12 sent to him by the T.I.L.R. Omerga, by following due procedure, as prescribed in the Maharashtra Land Revenue Code and after hearing the parties. It further appears that being aggrieved by the same, the petitioner has approached the Commissioner and learned Additional Commissioner by order dated 9.10.2012 has confirmed

the order passed by the Additional Collector, Osmanabad, as aforesaid.

2. Learned counsel for both the parties submit that if the said proceedings are still pending before the Tahsildar, the parties will appear before the Tahsildar, Lohara in terms of order passed by the Additional Collector, Osmanabad and they would make submissions before the Tahsildar, Lohara in terms of directions given by the Additional Collector, Osmanabad.

3. In view of above submissions, writ petition is disposed of. The parties shall appear before the Tahsildar, Lohara in the pending proceeding and the Tahsildar Lohara shall decide the said proceeding in terms of directions given by Additional Collector, Osmanabad, confirmed by the Additional Commissioner, Aurangabad. All points are kept open. Writ petition is disposed of.

(V. K. JADHAV, J.)

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