

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

Writ Petition No.11030 of 2016

* Waman S/o Sitaram Shinde,
Age 66 years,
Occupation: Agriculture,
R/o. Dindrud, Taluka Majalgaon
District Beed. .. **Petitioner.**

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Revenue and Forests Department,
Mantralaya, Mumbai - 32.
- 2) The Deputy Director of Land
Record, Aurangabad,
Taluka and District Aurangabad.
- 3) Shankar s/o Nagnath Swami,
Age 70 years,
Occupation: Agriculture,
R/o Dindrud, Taluka Majalgaon,
District Beed. .. **Respondents.**

Shri. D.A. Madake, Advocate, for petitioner.

Shri. S.B. Joshi, Assistant Government Pleader,
for respondent Nos.1 and 2.

Shri. B.S. Kudale, Advocate, for respondent No.3.

**Coram: T.V. NALAWADE &
SANGITRAO S. PATIL, JJ.**

Date: 15 February 2017

ORAL JUDGMENT :

1) Rule, rule made returnable forthwith.
Heard both sides by consent for final disposal.

2) The petition is filed for giving direction to respondent No.1 to decide the proceeding like Revision No.2429/2016 presently pending before the respondent No.1, Hon'ble Minister. The submissions made show that the file of the proceeding is missing and the concerned are feeling that the file of the proceeding was destroyed due to accidental fire in one incident which took place in the Mantralaya. The submissions made show that present petitioner has filed a proceeding for reconstruction of the file but no progress is made and no such direction is given by respondent No.1. In view of these circumstances, this Court holds that the matter needs to be expedited as the matter is filed in the year 2008.

3) In the result the petition is allowed. Direction is given to the respondents to see that the file is reconstructed by collecting copy of revision application and by calling other record from the concerned offices. After reconstruction of the file the matter be decided after issuing notices to the parties involved in the matter. The proceeding is to be decided within six months from the date of this order. Rule is made absolute in those terms.

Sd/-
(SANGITRAO S. PATIL, J.)

Sd/-
(T.V. NALAWADE, J.)

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