

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4215 OF 2017
(Kashinath Appasaheb Kale and another Vs. The Additional
Commissioner and others)

Mr.Ajinkya Deshmukh h/f Mr.A.V.Hon, Advocate for the petitioners.
Mr.N.V.Gaware, Advocate for respondent Nos.5A to 5C.
Mr.B.A.Shinde, AGP for respondent Nos. 1 to 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 25/06/2018

PER COURT :

1. Considering the law laid down by the Hon'ble Apex Court in the matter of Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and others [2016(2) SCC 213] = 2016(5) Mh.L.J.12], the impugned orders dated 30/05/2012 passed by the S.D.O. and 11/01/2017 passed by the Additional Commissioner, Nasik will have to be challenged by the petitioners by initiating a revision petition.

2. As such, this petition is disposed of. The petitioners shall prefer a revision petition under the M.L.R. Code as is provided for on or before 16/07/2018. The ad-interim protection granted by this Court on 04/04/2016 would continue till 31/07/2018.

3. Respondent Nos.5A to 5C are at liberty to appear suo-motu before the revisional authority. The Revisional Authority would consider whether any interim relief can be granted to the revision petitioners, on the merits of the contentions in the revision petitions and without being influenced by the order of this Court dated 04/04/2017, by which interim protection was granted.

4. Needless to state, the time spent by the petitioner in this Court from the date of filing this petition on 27/02/2017 till the passing of this order shall be considered as a good ground for condonation of delay.

(Ravindra V.Ghuge, J.)