

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

**CIVIL APPLICATION NO. 11572 OF 2018 IN
WRIT PETITION NO. 4761 OF 2015**

**FAKIRCHAND BHIKA SATPUTE AND OTHERS
VERSUS
RUPCHAND PARASRAM RATHOD AND OTHERS**

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Advocate for the Petitioners : Shri B. V. Thombre
Advocate for Respondent Nos. 3 A to 3 D : Shri N. V. Mande
Advocate for Respondent Nos. 5 A to 5 G, 6 and 7 :
Shri S. K. Mathpati
AGP for Respondent No.8 : Mr. S. R. Yadav

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 24th NOVEMBER, 2018.

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PER COURT :

1. I have heard the learned Advocates for the respective sides on the Civil Application.

2. For the reasons set out therein and in view of the contention that the Deputy Collector did not have the jurisdiction to entertain the Tenancy Appeal and as the District Collector, Aurangabad is empowered to do so, this application is allowed in terms of prayer Clause-B. The petitioner shall add the District Collector, Aurangabad and the Deputy

Collector (Gen.), Aurangabad as respondent Nos. 6 and 7 in this petition.

3. Issue notice to respondent Nos. 6 and 7. The learned AGP waives service and prays for time.

4. The learned Advocate submits that he is instructed to appear on behalf of respondent Nos. 5A to 5G. He seeks time to file his Vakalatnama. Appearance is noted. Service is complete.

5. List the Writ Petition for admission on 10/12/2018.

6. Interim relief granted earlier to continue.

(RAVINDRA V. GHUGE, J.)

vsm/-