

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 4211 OF 2015****Ratanchand Sirsappa Kanchinkoti****..... Petitioner****VERSUS****The State of Maharashtra & Anr.****..... Respondents**

Mr.Kamlesh P. Mali for the Petitioner.

Mr.S.H.Kankal, A.G.P. for the State.

CORAM : R.D. DHANUKA, J.**DATE : 16th JANUARY, 2018****P.C.**

Rule. Learned A.G.P. waives service for the respondents.

2. By consent of parties, the matter is heard finally.
3. Mr.Kankal, learned A.G.P. appearing for the respondents on instruction states that the respondents have no objection if the impugned order dated 9th February,2015 passed by the Joint District Registrar and Stamp Collector, Class-1, Pune City, Pune and is set aside and the matter is remanded back to the concerned officer for deciding the matter afresh in accordance with law. Statement is accepted.
4. The impugned order dated 9th February,2015 described in prayer clause (b) of the petition is accordingly set aside. The proceedings are resorted to the file of the Joint District Registrar and Stamp Collector, Class-1, Pune City, Pune for deciding the matter afresh without being influenced by the observations made by the concerned officer in the

impugned order and the conclusion drawn therein and in accordance with law. The learned officer shall pass a fresh order after rendering an opportunity of being heard to the petitioner and also to file the representation if any, before the learned officer. The order shall be passed within eight weeks from the date of the first hearing.

5. The parties as well as the concerned officer to act on the authenticated copy of this order.

6. Rule is made absolute in the aforesaid terms. No order as to costs.

7. The petitioner is directed to remain present before the concerned officer on 23rd January, 2018 at 11.00 a.m.

[R.D. DHANUKA, J.]