

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6641 OF 2013

Champaben Mohan and Others ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

WITH
WRIT PETITION NO.7057 OF 2013

Ramubhai Paragbhai Halpati ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

WITH
WRIT PETITION NO.7055 OF 2013

Dhanaban Jivan ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

WITH
WRIT PETITION NO.7053 OF 2013

Jogi Ramchhod ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

WITH
WRIT PETITION NO.6671 OF 2013

Ramanbhai Bechharbhai Patel ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

WITH
WRIT PETITION NO.6642 OF 2013

Gangaben Nanu ...Petitioner
vs.
Pramod Kesrichand Shah and Others ...Respondents

**WITH
WRIT PETITION NO.7058 OF 2013**

Bava Dheba	...Petitioner
vs.	
Pramod Kesrichand Shah and Others	...Respondents

Mr. Kishor Patil, for the Petitioners
Mr. Ajit Kenjale, for Respondent Nos. 1 to 23.
Mr. S.S. Deshmukh, for Respondent Nos. 24 and 25.

**CORAM : A. S. OKA &
M. S. SONAK, JJ.**

DATE : OCTOBER 30, 2018

P.C.:

. Not on board. Taken on board.

2. The learned counsel appearing for all the private Respondents on instruction state that the said Respondents have no objection if order dated 17th April, 2013 passed by the Chairman, Administrative Tribunal, Daman in Revision Applications preferred by the Petitioners is set aside and the Revision Applications are remitted to the Administrative Tribunal. He submits that directions be issued to the Administrative Tribunal to decide the Revision Applications on merits as expeditiously as possible. The learned counsel for the Petitioners states that the Writ Petitioners have no objection for adopting such a course.

3. The learned counsel appearing for the Mamlatdar and the Collector of Daman has submitted the orders of the Court.

4. Considering the nature of the impugned orders passed by the Administrative Tribunal, the course suggested by the learned counsel appearing for the private Respondents deserves to be adopted.

5. Accordingly, we pass the following order.

(1) The impugned order dated 17th April, 2013 passed by the learned Chairman, Administrative Tribunal, Daman are hereby quashed and set aside. All Revision Applications are restored to the file of the Administrative Tribunal, Daman;

(2) We direct the Petitioners and private Respondents to appear before the learned Chairman, Administrative Tribunal on 3rd December, 2018 at 11.00 am for fixing the schedule of hearing;

(3) As all the parties to the Revision Applications are before the Court, it will not be necessary for the Administrative Tribunal to issue fresh notices;

(4) Considering the fact that the Revision Applications arise out of orders passed by the Collector in the year 2008, the Administrative Tribunal will give necessary priority to the disposal of the Revision Applications and shall endeavor to dispose of the

same within maximum period of six months from the appearance of the parties;

(5) All contentions on merits in Revision Applications are kept open;

(6) The learned Chairman, Administrative Tribunal to act upon an authenticated copy of the judgment and order.

(7) We make it clear that the Administrative Tribunal will proceed to hear and dispose of Revision Applications on merits without insisting on production of certified copies of the impugned orders of the Collector.

(8) Rule is made partly absolute on above terms.

(M. S. SONAK, J.)

(A. S. OKA, J.)