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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7530 OF 2014

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| Phaltan Traders Nagari Sahakari Patsanstha<br>Maryadit, District Satara<br>V/s.<br>Shantanu D. Rananavare & Ors. | ...Petitioner<br><br><br>...Respondents |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------|

Mr.Amit B. Borkar for the Petitioner.

Mr.Shavlesh Chavan i/b Mr.Milind Deshmukh for the Respondent No.7.

Mr.Drupad S. Patil for the Respondent Nos.1, 2, 4, 5, 8 to 10 and 12-A and 13.

Mr.S.D. Rayrikar, A.G.P. for the State – Respondent No.15.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 26TH FEBRUARY, 2018.**

**P.C. :-**

1. Mr.Patil, learned counsel appearing for the respondent nos.1, 2, 4, 5, 8 to 10 and 12-A and 13, on instructions from the respondent no.1 on telephone consenting for himself and the respondent nos.2, 4, 5, 8 to 10 and 12-A and 13 states that his clients have no objection if the matter is remanded back to the respondent no.15 for reconsideration. The statement is accepted.
2. The impugned order dated 6<sup>th</sup> August, 2012 is accordingly

set aside. Appeal No.447 of 2012 is restored to tile. Appeal No.447 of 2012 to be heard *de-novo* by the respondent no.15 on its own merits and without being influenced by the observations made and the conclusion drawn in the order dated 6<sup>th</sup> August, 2012.

3. The respondent no.15 shall dispose of the said appeal expeditiously. The parties are directed to remain present before the respondent no.15 on 7<sup>th</sup> March, 2018 at 3:00 p.m. to enable the respondent no.15 to fix further date of hearing.

4. The writ petition is disposed of in aforesaid terms. No order as to costs.

5. All the parties to act on the authenticated copy of this order.

**(R.D. DHANUKA, J.)**