

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11460 OF 2018

Gram Panchayat, Hasur Dumala

.Petitioner

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. P. Bhavake, Advocate, for the Petitioner

Mr. A. B. Kadam, AGP, for the Respondent Nos. 1 to 6 – State

Mr. Chetan Patil, Advocate, for the Respondent No. 7

CORAM : REVATI MOHITE DERE, J.

DATE : 09.10.2018

P.C.

. Heard learned counsel for the parties.

2. Rule. Rule is made, returnable forthwith with the consent of the parties and is taken up for final disposal at the stage of admission itself.

3. By this Petition, the Petitioner has impugned the order dated 19.04.2017 passed by the Hon'ble Minister for Revenue, Mantralaya, Mumbai, Maharashtra State in RTS Revision

Application No. RTS-3817/2717/Pr. Kr. 187/J-5A. The principal and only grievance of the Petitioner is, that although the Petitioner was a party to the proceeding before the Subordinate Authorities, the Respondent No. 7 had not impleaded the Petitioner as party Respondent in the proceeding filed before the Hon'ble Minister for Revenue i. e. in the Revision Application.

4. Learned counsel for the Respondent No. 7 on instructions fairly states that he has no objection, if the aforesaid impugned order is set aside. Learned counsel also does not dispute the fact, that the Petitioner was a party to the proceedings before the Subordinate Authorities, and as such, ought to have been impleaded as party Respondent in the proceeding before the Hon'ble Minister for Revenue.

5. Considering the aforesaid, the impugned order dated 19.04.2017 passed by the Hon'ble Minister for Revenue, Mantralaya, Mumbai, Maharashtra State in RTS Revision Application No. RTS-3817/2717/Pr. Kr. 187/J-5A is quashed & set aside. Both the parties to appear before the Hon'ble Minister

on 22.10.2018 at 3.00 p. m. after which the Hon'ble Minister will give dates convenient to him. The Respondent No. 7 is permitted to amend and implead the Petitioner as party Respondent in Revision Application No. RTS-3817/2717/Pr. Kr. 187/J-5A, filed before the Hon'ble Minister for Revenue. All contentions of both the parties are kept open. The Hon'ble Minister for Revenue to dispose off the Revision Application as expeditiously as possible and in any event within six months from the date of receipt of this order. Rule is made absolute in the aforesaid terms.

6. The Petition is accordingly disposed off in the aforesaid terms.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)