

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION (ST) NO. 33469 OF 2017****Yashwant Namdeo Jadhav & Ors.****..... Petitioners****VERSUS****State of Maharashtra & Ors.****..... Respondents**

Mr.Manoj Patil for the Petitioners.

Mr.S.H.Kankal, A.G.P. for the State – Respondent nos. 1 to 3 and 3A.

Mr.Pavan Patil for the Respondent nos. 4 to 10.

CORAM : R.D. DHANUKA, J.**DATE : 18th JULY, 2018****P.C.**

By consent of the petitioner and the respondent nos. 4 to 10, the impugned order dated 24th October,2017 passed by the Hon'ble Minister of Revenue Affairs, Maharashtra State at Mumbai in proceedings bearing no. RTS/3517/3585/P.K.246/J-5A and order dated 18th January,2016 passed by the learned District Superintendent of Land Records at Satara are set aside.

2. The application filed by the petitioners on which the order dated 18th January,2016 came to be passed by the learned District Superintendent of Land Records is restored to file.

3. The respondent nos. 4 to 10 would be at liberty to file reply to the objection of the maintainability to the said application filed by the

petitioners and also on merits before the learned District Superintendent of Land Records within four weeks from today. A copy of the reply shall be served upon the petitioners simultaneously.

4. The learned District Superintendent of Land Records shall decide the said application filed by the petitioners in accordance with law and without being influenced by the observations made and the conclusion drawn in the impugned order dated 18th January, 2016 passed by the District Superintendent of Land Records and also the order dated 24th October, 2017 passed by the learned Minister of Revenue Affairs and after complying with the principles of natural justice. The order shall be passed expeditiously and not later than four months from the date of the first hearing.

5. The parties shall appear before the District Superintendent of Land Records, Satara on 30th August, 2018 at 11.00 .m.

6. If the time and the date is not convenient to the learned District Superintendent of Land Records, the earliest convenient date and time shall be conveyed to the parties by the learned District Superintendent of Land Records, Satara.

7. It is made clear that this court has not expressed any views on the merits of the matter.

8. All contentions of both the parties on merits including on

maintainability are kept open.

9. Writ petition is disposed of in the aforesaid terms. No order as to costs.

10. The parties to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]