

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

WRIT PETITION NO.10304 OF 2014

Narayan Raghunath Phadake & Anr. .. Petitioners

Vs.

State of Maharashtra & Ors. .. Respondents

Mr.Uday Nighot for the petitioners.

Mr.S.H.Kankal, AGP for the respondent nos.1 & 2.

Mr.S.G. Deshmukh i/by Mr.G.T. Kanchanpurkar for the respondent nos.4 & 5.

CORAM : R.D. DHANUKA, J.

DATE : 30th July 2018

P.C.:

. By consent of the petitioners and the respondent nos.4 and 5, the impugned order dated 14th November 2013 passed by the learned Minister for State (Revenue) in Appeal No.REV/3413/279/P.K.99/J-5 is set aside.

2. The said appeal is restored to file before the learned Minister for State (Revenue). The learned Minister shall decide all the issues in accordance with the directions issued by this Court in the order dated 14th March 2013 in Writ Petition No.9215 of 2012 after hearing both the parties including the issue as to whether period of limitation, if any, was applicable to the application made by the respondent nos.4 and 5 or not and without being influenced by the observations made and the conclusions drawn in the impugned order dated 14th March 2013.

3. Parties are directed to appear before the learned Minister on 9th August 2018 at 11.00 a.m. without fail. Learned Minister shall make

an endeavour to dispose of the appeal within three months from the date of first hearing. Parties shall not ask for any unnecessary adjournment before the learned Minister.

4. Writ petition is disposed of in aforesaid terms. It is made clear that this Court has not expressed any views on merit of the matter. All contentions of both the parties on merits are kept open. Parties as well as the learned Minister to act on the authenticated copy of this order.

R.D. DHANUKA, J.