

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

51 WRIT PETITION NO.4540 OF 2018

AJINKYA SHIVAJIRAO AHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. I. D. Maniyar
AGP for Respondent Nos. 1 to 4: Mr. S. K. Tambe
Advocate for Respondent No.5 : Mr. V. A. Bagdiya

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CORAM : P. R. BORA, J.
DATE : 10th JUNE, 2019

PER COURT

When the present petition is taken up for hearing, the learned counsel appearing for the respondents tendered across the bar the copy of the order passed in Writ Petition No. 857 of 2018. The learned counsel submitted that aforesaid writ petition was filed against the order dated 10th February, 2017 passed in ROR/Review 286 of 2016 by the Additional Commissioner, Aurangabad Division, Aurangabad. The learned counsel further pointed out that vide the order dated 10.02.2017 the learned Additional Commissioner Aurangabad, Division Aurangabad

confirmed the order passed by the Additional Collector, Parbhani in File No. 2015/A-/ROR/91. The learned counsel submitted that in similar other matter in File No. 2015/A2/ROR/90 on the same date i.e. 16.04.2016 the learned Additional Collector, Parbhani has passed an order and the same was confirmed by the Additional Commissioner vide the impugned order. The learned counsel pointed out that these two matters were pertaining to two different sale deeds having similar facts. In the circumstances, the learned counsel prayed for passing similar order in the present writ petition.

2. The learned counsel for the petitioner did not dispute the correctness of the facts stated by the learned counsel appearing for the respondents and submitted for passing appropriate orders.

3. Perused the order dated 12th December, 2018 in Writ Petition No. 857 of 2018. Having regard to the similar facts involved in both these matters, the present writ petition also

stands rejected for the reasons recorded in Writ Petition No. 857 of 2018. Pending appeal be considered on its own merits by the appellate authority.

(P. R. BORA, J.)

vsm/-