

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

**CIVIL APPLICATION NO. 10832 OF 2019 IN
WRIT PETITION NO. 8402 OF 2019**

THE STATE OF MAHARASHTRA THE ADDITIONAL
DIVISIONAL COMMISSIONER
VERSUS
DNYANESHWAR BAURAO DHAWALE AND OTHERS

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AGP for the Applicant : Shri S. R. Yadav - Lonikar
Advocate for Respondent Nos. 1 to 5 : Shri A. R. Tapse h/f.
Shri P. D. Suryawanshi
Advocate for Respondent No. 6 : Shri Y. B. Bolkar h/f.
Shri K. B. Jadhav

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 4th SEPTEMBER, 2019.

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PER COURT :

1. This application was not on board. The learned AGP expressed a grave urgency and hence taken on the production board.

2. It is pointed out that, on 14/08/2019 when this Court passed an order in Writ Petition No. 8402/2019, it was erroneously mentioned that the revisional authority under Section 23(2) of the Mamlatdar Courts Act is the Deputy

Collector/SDO, Ambad, instead of the Additional Collector, Jalna. To avoid disobedience, the parties have appeared on the scheduled date as mentioned in paragraph 5 of the order before the Deputy Collector.

3. The learned Advocates for the respective sides confirm that it was out of inadvertence that the parties mentioned that the revisional authority is the Deputy Collector. They concur with the submissions of the learned AGP.

4. In view of the above, paragraph 5 of the order dated 14/08/2019 shall read as under :-

"5. The 5th respondent Baburao Bhimaji would be at liberty to file a revision under Section 23(2) before the revisional authority i.e. Additional Collector, Dist Jalna under the Mamlatdar Courts Act, 1906, on 16/09/2019 at 12 noon. The petitioner shall suo motu appear before the said authority on the said date and time and notices are not required to be issued."

5. As a consequence of the above, the date appearing in paragraph 6 as 30/09/2019 shall read as 18/10/2019.

6. Corrected copy be uploaded forthwith.
7. The Civil Application is allowed in the above terms.

(RAVINDRA V. GHUGE, J.)

shp/-