

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6929 OF 2020

Sachin Vasant Shinde and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

.....
Mr. Vikramsinh P. Patil, Advocate for Petitioners
Mr. S.N.Morampalle, A.G.P. for Respondents No. 1 to 4
Mr. D.P.Palodkar, Advocate for Respondents No. 5 to 19
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CORAM : R. G. AVACHAT, J.
DATE : 22-02-2021.

ORDER :

01. Heard.

02. The challenge in this writ petition is to orders dated 29.3.2019 and 9.9.2019 passed by the Additional Commissioner, Nashik and State Minister (Revenue) respectively.

03. The petitioners moved the application for regrant of the writ land. The Additional Collector, Ahmednagar vide his order dated 5.9.2018 re-granted the writ land to the petitioners on new tenure.

04. The writ land originally belonged to Fakira Mahar. It was *Mahar Inam* land (inferior *Inam*) on abolition of the *Inam*, the writ land stood resumed with the Government. It has not been re-granted. The predecessor of the petitioners viz. Yashwant Shinde claimed to have purchased the writ land from Mukta Hari Randive, in May 1965.

05. One Rajkumar Nanasaheb Randive also applied to the Collector for re-grant of the writ land. As such there are rival claims for re-grant of the writ land. Both the applications, therefore, ought to have been decided by the Collector by common order after granting the parties a reasonable opportunity to putforth their claims.

06. Both the parties to this petition are, therefore, at ad-idem for allowing the petition with a direction to the Collector to give an opportunity of hearing to both the parties to this petition and then decide the respective claims for re-grant of the writ land.

07. The writ petition is, therefore, allowed in

terms of prayer clause "C". The Collector / Additional Collector, Ahmednagar shall decide the claims of both the petitioners herein on one hand and respondents No. 5 to 19 on the other regarding re-grant of the writ land in their favour.

[R.G.AVACHAT]

JUDGE

Dahibhate/-