

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 839 OF 2021

Smt. Deepali Wd/o. Vilasrao Pande
Aged 65 years, Occ : Business,
R/o. Ambapeth, Amravati,
Tehsil & District Amravati

}

.. Petitioner

Versus

1. State of Maharashtra
In the Ministry of Revenue & Forest,
Mantralaya, Mumbai – 32 Through
Secretary.

}

.. Respondents

2. District Collector, Amravati

3. Tehsildar, Amravati,
Tehsil & District Amravati

WITH

WRIT PETITION NO. 301 OF 2021

M/s. Vinayak Stones,
A Partnership Firm, Through its
Authorised Partner, Shri.Saket S/o. Ajay
Mehta Aged 30 years, Occ : Business,
R/o.Vidyaniketan Colony, Court Road,
Paratwada, Tahsil Achalpur, District
Amravati

}

.. Petitioner

Versus

1. State of Maharashtra,
In the Ministry of Revenue and Forest,
Mantralaya, Mumbai – 32, Through its
Secretary

}

.. Respondents

2. District Collector, Amravati

3. Tehsildar, Achalpur, Tah. Achalpur,
District Amravati

WITH

WRIT PETITION NO. 302 OF 2021

Shri.Ramkrushna Pandurangji Katre,
Aged 61 years, Occ : Business,
R/o.Gaurkeda Kumbhi, Tahsil Achalpur,
District Amravati

}

.. Petitioner

Versus

1. State of Maharashtra,
In the Ministry of Revenue and Forest,
Mantralaya, Mumbai – 32, Through its
Secretary

}

.. Respondents

2. District Collector, Amravati

3. Tehsildar, Achalpur, Tah. Achalpur,
District Amravati

Miss. Ramaa V. Kukday, Advocate for petitioners in all the petitions.

Mr. A. M. Kadukar, AGP for respondents in W.P. No.839 of 2021.

Mr. N. R. Patil, AGP for respondents in W.P. Nos.301 and 302 of 2021.

**CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.**

DATED : 20/10/2021

ORAL JUDGMENT (Per Sunil B. Shukre, J.)

Heard learned counsel for the petitioners and
learned AGP for all the respondents in respective petitions.

(2) Rule. Rule made returnable forthwith. Heard
finally by consent of the learned counsel appearing for the parties.

(3) The learned counsel for the petitioners in all these petitions submits that the issues involved in these petitions are identical with the demand involved in Writ Petition No. 438 of 2021, decided on 28th September, 2021. Learned AGP appearing in respective petitions agree. Hence, we pass the following order :

- i. The petitions are partly allowed.
- ii. The impugned notices are hereby quashed and set aside.
- iii. The matters are remanded back to the respondent Nos.2 and 3 for fresh consideration and decision in accordance with law after giving due opportunity of hearing to the petitioners, within two weeks from the date of appearance of the petitioners before respondent Nos.2.
- iv. The petitioners to appear before respondent No.2 – District Collector, Amravati on **26th October, 2021.**

Rule accordingly. No costs.

[ANIL S. KILOR J.]

[SUNIL B. SHUKRE J.]