

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

WRIT PETITION NO.7915 OF 2017

Shivaji Sakhoba Gilbile

... Petitioner

Vs.

Vyankatesh Arjunrao Ingale and anr.

... Respondents

Mr.Vishwajeet Shreemantrao Kapse, Advocate for the Petitioner.

Mr.G.N.Salunke, Advocate for Respondent Nos. 1 and 2.

CORAM : ABHAY AHUJA, J.

DATE : 22nd DECEMBER, 2022.

P.C. :

1. The primary grievance of the petitioner in this petition is that the petition was not heard by the Maharashtra Revenue Tribunal, Pune ("MRT" for short) while passing order dated 20th January, 2014. Thereafter, petitioner filed review which was also dismissed vide order dated 22nd August, 2014.

2. Mr.Kapse learned counsel for the petitioner would submit that in view of the fact that the order dated 20th January, 2014 has been passed in breach of the principles of natural justice, the same may be set aside and the matter may be remanded back to the Maharashtra Revenue Tribunal for the fresh consideration.

3. Mr.Salunke, learned counsel for the respondents has no particular objection if the matter is remanded back to the MRT.

4. Having heard the learned counsel and having perused the impugned

orders dated 20th January, 2014 as well as 22nd August, 2014, this court is of the view that interest of the justice would be served if the impugned orders are set aside and the matter is remanded back to the MRT, Pune for *de-novo* consideration after giving an opportunity of hearing to the petitioner.

5. The MRT, Pune to pass appropriate orders after hearing the parties preferably within a period of six months.

6. Petition stands disposed in the above terms.

7. In view of the disposal of the petition, the pending civil application, if any, does not survive and hence disposed of.

(ABHAY AHUJA, J.)