

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

901 CIVIL APPLICATION NO.3180 OF 2023
IN WRIT PETITION NO.8490 OF 2022

MADHAV BALAJI GHORBAND
VERSUS
LALITA GANESH GHORBAND & OTHERS

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Advocate for the applicant : Mr.M.P.Tripathi h/f.
Mr.U.B.Gite

AGP for Respondent-State : Mr.P.G.Borade
Advocate for the petitioner in WP : Mr.A.M.Gaikwad

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CORAM : ARUN R. PEDNEKER, J.

DATE : 09.03.2023

P.C. :

1] The learned counsel for the applicant submits that the following observation of this Court in para no.5 of the order dated 01.03.2023 that “in view of the record submitted in this Court and on perusal of the record, prima facie being demonstrated by the petitioner, the impugned order passed by the Collector, Nanded is quashed and set aside”, would bind the appellate Authority while deciding the remanded case.

2] However, the observations made by this Court are only for the purpose of remanding matter to the Appellate Authority and the Appellate Authority is not bound by any of the observations of this Court. The Appellate Authority is directed to decide the remanded case on its own merits without influence of any of the part of the order passed by this Court on 01.03.2023.

3] Accordingly, the present Review Application is disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC