

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1018 WRIT PETITION NO.5598 OF 2023

SUMITRA ASHOK MIRGE
VERSUS
THE ADDITIONAL DIVISIONAL COMMISSIONER AND OTHERS

...
Advocate for Petitioner : Mr. Deshpande Jagdish V.
AGP for Respondents-State : Mr. B. V. Virdhe
Advocate for Respondent No.3 : Mr. D. P. Palodkar

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 17/10/2023

PER COURT :

1. Heard the learned Advocate for the petitioner. From the record it appears that there is no material on record to justify the finding that the petitioner is residing along with her son. The parties are ad-idem that the matter be remitted back to the Collector for fresh enquiry, as the aspect that the petitioner is residing along with her son, is not dealt with appropriately.
2. Both the impugned orders dated 19/04/2023 and 17/02/2023 are set aside and the matter stands remitted back to the Collector for fresh adjudication.
3. The Collector, on remit of the matter, to decide the matter afresh and to pass appropriate orders within a period of eight weeks.
4. The parties to appear before the Collector on 30/10/2023.
5. Petition is disposed of.

(ARUN R. PEDNEKER, J.)