

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

925 WRIT PETITION NO.8164 OF 2017

NAMDEO BHAGAJI KHANDAGALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. V.P. Latange
AGP for Respondents 1 to 3 : Mr. N.T. Bagat
Advocate for Respondents 4 to 12 : Mr. D.P. Palodkar

...
CORAM : ARUN R. PEDNEKER, J.
DATED : 01/03/2023

PER COURT :

1. Heard the learned counsel for the parties.
2. By way of present writ petition, the petitioner challenges the orders dated 31.5.2017 passed by the Additional Collector, Aurangabad, confirming the order passed by the Tahsildar, Sillod dated 29.5.2015.
3. From the record, it appears that the process under sections 7, 8 and 9 of the Mamlatdar's Courts Act is not followed in the instant case and in view of the same, the orders passed by the Tahsildar and Additional Collector/revisional authority are quashed and set aside. The matter is remanded back to the Tahsildar to consider the application dated 12.6.2013 from the stage of it's filing and the applicant be granted appropriate opportunity to make the formal application in terms of section 8 and thereafter follow the process under the Act and complete the proceedings by the end of May 2023.
4. The parties agree that they would appear before the Mamlatdar on 6.3.2023 at 3.00 p.m. to enable the Mamlatdar to fix the next date.
5. The petition is disposed of, accordingly. All contentions are left open.

[ARUN R. PEDNEKER J.]

ssc/