

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

74 WRIT PETITION NO.8408 OF 2023

**SHAMGIR GURU RANCHODGIR MAHARAJ MATHADHISH
AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS**

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Advocate for Petitioners : Mr. Biradar Chandrakant D.
AGP for Respondents State: Mr. S. G. Karlekar
Advocate for Respondents 2 & 3 : Mr. S. S. Dande

CORAM : RAVINDRA V. GHUGE, &
Y. G. KHOBRAGADE, JJ.

DATE : 18th July, 2023

ORDER:

1. The petitioners submit that the issue of condonation of delay under the Hyderabad Atiyat Inquiry Act, 1952 is pending before the Deputy Collector (Atiyat) since 16.09.2016. However, when the petitioners were before this Court in Writ Petition No. 5466 of 2016, this was not brought to the notice of the Court which passed an order on 21.02.2019.

2. The petitioners pray that the Deputy Collector (Atiyat) will have to transmit the file to the District Collector, Latur, who, in turn, will transmit the file to the Divisional Commissioner, Aurangabad for deciding the issue of condonation of delay.

3. In view of the above, **this petition is disposed off.** Respondent No.4, in the light of the communication dated 16.09.2016, would issue a fresh proposal, if not already issued.

4. Let Respondent No.4-Deputy Collector (Atiyat), Latur initiate appropriate steps, if not already initiated, to transmit the file/fresh proposal to Respondent No.3- the Collector (Atiyat), Latur who will then transmit it to Respondent No.2- the Divisional Commissioner, Aurangabad.

5. Needless to state, the procedure laid down in law shall be followed by the authorities and if issuance of notices to the stakeholders is necessary, the said authorities would follow the procedure as is established in law.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan