

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

24 WRIT PETITION NO.12164 OF 2023

HANMANTU NARSIMLU RAITULWAD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS
AND

26 WRIT PETITION NO.12168 OF 2023

GANPATI LAXMAN HURDUKE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS
AND

1002 WRIT PETITION NO.13391 OF 2023

CHANDRASHEKHAR DADARAO RAUT
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

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Mr. G. K. Muneshwar, Advocate for Petitioners

Mr. A. V. Deshmukh, Mr. V. M. Kagne and Mr. S. K. Tambe, AGPs for
Respondents-State

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

DATE : 25th October, 2023

ORDER:

1. The learned Advocate for the Petitioners submits that all these Petitioners are identically placed. A proceeding was taken up by the Assistant District Collector, Kinwat and the impugned orders are passed at the time of registration of the proceeding without even issuing notices to the parties.

2. Heard the learned advocates for the parties.

3. Considering the above, **these Petitioners are partly allowed.**

The ex-parte orders passed by Respondent No.3 are quashed and set aside and the files of these Petitioners are restored before the said authority.

4. The Rules framed under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 shall be followed and the competent Authority would consider these proposals by following the procedure laid down in law and by granting reasonable opportunity of hearing to the Petitioners.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan