

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

**WRIT PETITION NO. 13070 OF 2022
WITH
CIVIL APPLICATION NO. 4052 OF 2023**

**MADHUKAR BABURAO NALAGE
VERSUS
THE DISTRICT COLLECTOR AND OTHERS**

Mr.R.B. Dhaware, Advocate for the petitioner.
Mr.K.B. Jadhavar, AGP for respondent/State.
Mr.P.P. More, Advocate for respondent No.3.

**CORAM : KISHORE C. SANT, J.
DATED : 05.06.2023**

PC :-

01. The challenge in this petition is to an order dated 18.10.2022 passed by the learned Member, Maharashtra Revenue Tribunal, Mumbai, whereby the learned Member has set aside the order passed by the Collector dated 15.06.2019 in case No. 2018/LR/CR-07 and directed the Collector to conduct inquiry by following the procedure under the Maharashtra Agricultural Lands (Ceiling and Holding) Act, 1961. It is observed in the impugned order that the Collector has failed to issue public notice as prescribed under section 17(1) and (2) of the said Act and further held that no proper inquiry as prescribed under section 14 is held by the Collector.

02. On hearing the parties, this Court finds that the observations made by the learned Member do not require any interference. Consequently, this Court finds that no case is made out to call for interference in the impugned order. Considering the submissions, the following order :-

ORDER

- i) The writ petition is dismissed.
- ii) In the facts of the case it is expected of the Collector to decide the proceeding afresh by following proper procedure and complete the inquiry as far as possible within one year from today.
- iii) In view of dismissal of the petition, connected Civil Application No.4052 of 2023 for stay does not survive and disposed off accordingly.

[KISHORE C. SANT, J.]