

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 234 OF 2023

Ashok Sambhaji Kamble & Anr.

... **Petitioners**

Versus

The Deputy Collector (Land Reforms), Hingoli & Ors. ... **Respondents**

...

Mr. Anil P. Basarkar – Advocate for petitioners

Mr. K. N. Lokhande – AGP for respondent/State

Mr. B. A. Dhengle – Advocate for respondent no. 4-1, 4-2, 5-1 and 5-2

....

CORAM : KISHORE C. SANT, J.

DATE : 31ST JULY, 2023

PER COURT :

1. Heard both the sides.
2. The learned Deputy Collector (General), Hingoli dismissed the appeal by order dated 08.02.2021.
3. On going through the order impugned, it is seen that the appeal filed by the petitioners herein is dismissed on the ground of failure of respondents to appear before the authority and non-production of evidence. Such a course cannot be adopted by the

authority. Considering the same, the impugned order dated 08.02.2021 passed in Appeal No. 96/2019/Appeal/Land Reforms/TNC/CR-85 stands quashed and set aside.

4. The matter is remanded back to the Deputy Collector (General), Hingoli, for deciding the matter afresh.

5. Appeal No. 96/2019/Appeal/Land Reforms/TNC/CR-85 is restored to its original status.

6. Parties to appear before the Deputy Collector (General), Hingoli, on 17.08.2023.

7. The Deputy Collector (General), Hingoli, to decide the proceedings within three (03) months.

8. With the observations as aforesaid, **Writ Petition stands disposed of.**

[KISHORE C. SANT]
JUDGE