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

911 WRIT PETITION NO. 213 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT,
THROUGH ITS MANAGER BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

AND

912 WRIT PETITION NO. 222 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT
THROUGH ITS MANAGER BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

AND

913 WRIT PETITION NO. 246 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT
THROUGH ITS MANAGER BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

AND

914 WRIT PETITION NO. 314 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT
THROUGH ITS SECRETARY BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

AND

(2)

916 WRIT PETITION NO. 335 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT
THROUGH ITS MANAGER BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

AND

917 WRIT PETITION NO. 365 OF 2024

SANGAMNER SAHAKARI AUDYOGIK VASAHAT MARAYADIT
THROUGH ITS MANAGER BALASAHEB GANGADHAR
GADAKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

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Mr Shivaji T. Shelke, Advocate for Petitioner;
Mr S. B. Narwade, A.G.P. for Respondent Nos.1 and 2
Mr P. B. Shirsath, Advocate for Respondent Nos.3A to 3C in WP/
213/2024, for Respondent No.3 in WP/222/2024, for Respondent
Nos.3 and 4 in WP/246/2024, for Respondent Nos.3A and 3B in
WP/335/2024, for Respondent No.3 and 4 in WP/365/2024

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 28th February, 2024

PER COURT:

1. These matters were heard for some time.
2. In Writ Petition No.314/2024, as Respondent No.3 is dead, the Petitioner desires to delete Respondent No.3 from the

(3)

Petition. As such, deletion is permitted at the risk of the Petitioner.

3. In Writ Petition No.335/2024, Respondent No.3-c Radhakisan Bhaurao Arote is no more. The learned Advocate for the Petitioner prays for leave to delete the deceased person. As such, deletion is permitted at the risk of the Petitioner.

4. The undisputed position that emerges from the record is, that the Petitioner was not heard when the common impugned order dated 27/10/2023 was passed by Respondent No.2/Deputy Collector, Ahmednagar. The Petitioner needs an opportunity of hearing, considering the lands at issue.

5. The learned Advocate representing the private individual Respondents, submits that, the rejoinder affidavit of the Petitioner contains many issues, that have been raised. All these issues can be gone into by the District Collector, if a re-hearing is ordered, since the Petitioner was not given an opportunity of hearing.

6. In view of the peculiar facts and circumstances, **all these Writ Petitions are partly allowed.** The impugned orders

(4)

in all these Petitions are quashed and set aside and the matters are restored to the file of the District Collector, Ahmednagar.

7. All the parties shall appear before the District Collector, Ahmednagar on 11/03/2024 at 12:00 noon in the remitted proceedings. Separate notices need not be issued to the Petitioner and the private Respondents, who have appeared through their Advocates in these matters. All the contentions of the litigating parties are kept open.

8. Considering the Circular dated 14/09/2012, the District Collector shall endeavour to decide the proceedings within a period of six months from the date of appearance of the litigating parties and shall pass a reasoned order. The contention of the Petitioner that the proceedings with reference to the deceased persons stand abated, shall be considered by the District Collector while deciding the said proceedings.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

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