



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1760 OF 2019

Shri. Vasant Pundlik Kamble and Another. ...Petitioners.

Versus

State of Maharashtra and Others.

...Respondents.

Mr. Sandeep S. Koregave for the Petitioner.

Mr. Utkarsh Desai i/b Mr. Prashant Bhavake for the Respondent No. 8B and 8C.

Ms. M. P. Thakur, AGP for the Respondent-State (the Respondent No. 1 to 6).

Coram : Sharmila U. Deshmukh, J.

Date : August 5, 2024.

P. C. :

1. Challenge to the order of State Government made through the Revenue Minister dated 11th September 2018 is primarily on the submission that the Appellant Nos.1 and 2A as well as the Respondent Nos.1, 6, 7, 9, 12 and 14 had expired and despite thereof, the legal heirs were not brought on record and the matter proceed further.
2. During the hearing of present petition, upon a query by this Court as to whether the matter can be remanded for decision afresh after bringing on record the legal heirs of deceased parties, learned counsel appearing for the private parties, on instructions, are agreeable to the same.
3. In the light of consensus arrived at between the private parties,

the impugned order dated 11th September 2018 is hereby quashed and set aside. Appeal No. RTS 3813/75/Pr.Kar.Ko.42/J-5A is remanded to the file of State Government before the Revenue Minister to be decided afresh. The Appellants therein to take necessary steps for correcting the record to bring on record the legal heirs of deceased parties. After the said procedure is followed, the matter to be heard afresh by the Revenue Minister.

4. It is made clear that this Court has not gone into merits of the matter and all rights and contentions of all the parties are expressly kept open.

5. Petition stands disposed of.

[Sharmila U. Deshmukh, J.]