



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15478 OF 2023

Anil Vimalchandra Hesi

... Petitioner.

Versus

Pandurang Tukaram Suryawanshi and Ors.

... Respondents.

WITH

WRIT PETITION NO. 251 OF 2024

Shirish Shashikant Khasnis

... Petitioner.

Versus

Pandurang Tukaram Suryawanshi and Ors.

... Respondents.

Ms. Poonam Pal i/by Mr. Sachin Hande for the Petitioner.

Mr. Sharad Dhore i/by Mr. Shashikant Sansare for Respondent Nos.1 and 2.

Mr. S.L. Babar, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : June 18, 2024

P. C. :

1. Heard.

2. By these petitions, the challenge is to the order dated 6th October, 2024 by which the RTS Appeal has been transferred from the Deputy Collector, Sangli to the Deputy Collector, Satara.

3. Learned counsel for the Petitioner would submits that the matter was fixed for hearing before the Deputy Collector at Sangli and the same was transferred to the Deputy Collector, Satara. She

further submits that there was no reason for transfer of the proceedings especially at the stage of the final arguments.

4. Learned AGP points out the observations in the order of transfer which records that frequent complaints were made by the Respondent No.1 as against the Deputy Collector, Sangli, pursuant to which the Deputy Collector Sangli for transfer of the proceedings and that the power has been rightly exercised under Section 226 (2) of the Maharashtra Land Revenue Code, 1966.

5. The provisions of Section 226 of the Maharashtra Land Revenue Code, 1966 vests power in the Commissioner to withdraw any case or class of cases from any Revenue Officer subordinate to him and to refer the same for disposal to any other Revenue Officer and in pursuance of this power, RTS Appeal has been transferred. Perusal of the order indicates that the Commissioner has considered that constant complaints were being filed by the Respondent No.1 raising an issue of bias *qua* the Deputy Collector, Sangli and the Deputy Collector, Sangli had made request for transfer of the case, pursuant to which the impugned order has been passed.

6. The grievance of the learned counsel for the Petitioner was that the case came to be transferred at the stage of final arguments, however, upon a query by this Court, she informs that the matter is fixed for final hearing today itself. It is, therefore, open for the parties

to finally argue the matter before the Deputy Collector, Satara. No infirmity can be found in the order of transfer.

7. The Petition stands dismissed.

[Sharmila U. Deshmukh, J.]