



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4164 OF 2024

Dipak Madansing Paradeshi And Others

VERSUS

The State Of Maharashtra Through Its Principal
Secretary And Others

- Mr. Bhushan Mahajan, Advocate for the Petitioners
- Mr. N. D. Raje, AGP for the Respondent Nos. 1 to 3/State
- Mr. H. P. Randhir, Advocate for the Respondent Nos. 4 to 7

CORAM : R. M. JOSHI, J

DATE : APRIL 09, 2025

PER COURT :

1. By consent of both sides, heard finally at the stage of admission.

2. This Petition takes exception to order dated 14.02.2024 passed by Sub-Divisional Officer, Pachora (for short 'SDO') in Vahivat Revision Application No. 55/2023 whereby the order passed by Tahsildar dated 13.04.2023 came to be set aside.

3. During the course of hearing, learned Counsel for contesting Respondents, on instructions, records no objection for setting aside order dated 14.02.2024

passed by SDO, Pachora subject to relegating the matter back to SDO for decision afresh.

4. In view of the consent recorded by the contesting Respondents, the order impugned stands set aside. The proceeding of Vahivat Revision Case No. 55/2023 is relegated back to the SDO for decision afresh. It is however clarified that SDO shall not get into the issue of title of property as the same is not permissible to be gone into except by the Civil Court. The matter is relegated back to SDO in order to consider the order passed by Tahsildar in the light of evidence placed before Tahsildar. It is further clarified that the matter shall not be remanded back to the Tahsildar for fresh hearing or for recording of fresh panchnama. The SDO shall decide the proceeding on merit and in accordance with law.

5. It is clarified that there is no stay to the order of Tahsildar.

6. Petition stands disposed of in above terms.

(R. M. JOSHI, J.)