

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.14 OF 2016

Santosh s/o Bhikaji Lokhande and ors.

-vs-

Additional Commissioner, Amravati Dvn. Amravati and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. Thakre, Advocate for petitioners.

Smt. M. N. Hiwase, AGP for respondent No.1.

CORAM : PRASANNA B. VARALE, J.
DATE : December 31, 2015

Heard Mr Thakre, learned counsel for the petitioners. Issue notice to the respondents, returnable on **14/01/2016**. Learned Assistant Government Pleader waives notice on behalf of respondent No.1.

A very limited controversy is involved in the present petition namely the learned Additional Commissioner, Amravati Division by a notice gave an intimation to the parties from Amravati, Yavatmal, Washim and Buldhana districts that the matter in relation to revenue and Grampanchayat would be posted on 14/01/2016 as the authority was proceeding on official tour. The submission of the learned counsel Shri Thakre is because of the said intimation, the parties were under impression that the proceedings namely the review before the learned Commissioner, Amravati Division would be heard on 14/01/2016 but to the surprise of the petitioners, the matter was not only preponed on 23/11/2015 but an order was passed and the

status-quo granted in favour of the petitioners was vacated. The submission of the learned counsel is that the order ought not to have been passed without giving any opportunity to the parties and as such the learned Additional Commissioner failed to comply with the principle of natural justice.

In view of submissions of learned counsel, there shall be *ad interim* stay to the order impugned passed by the Additional Commissioner dated 23/11/2015 till the returnable date.

Humdast granted.

JUDGE