

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

WRIT PETITION NO. 4800 OF 2015

Rakesh Bhavarlal Birla

...PETITIONER

versus

Smt. Kausabai Wd/o Shahdu Thokal
and others

...RESPONDENTS

.....
Mr. A.M. Gholap, Advocate for Petitioner
Mr. A.P. Bhandari, Advocate for respondents No. 1 to 3
Mr. S.P. Daund, A.G.P. For respondent No. 4.
.....

CORAM : SUNIL P. DESHMUKH, J.

DATED : 7th AUGUST, 2015

Order :-

1. Learned counsel appearing for the parties are fair enough to concur on the point that application filed on 23-03-20015 as appearing in the process-sheet annexed to writ petition (at pages No. 67 and 68) on which on very day order has been passed, deserves to be heard by granting proper opportunity to the petitioner as well as respondents before revisional authority. This court under order dated 10-06-2015 had granted interim relief in terms of prayer clause "C".

2. Since the order passed on 23-03-2015 by Additional Divisional Commissioner, Nashik Division, Nashik had efficacy only upto 22-06-2015 and this court had already stayed its effect by order dated 10-06-2015, the period during which order was to operate has already expired, the order gets worked out. Application, as such, by present respondents/original applicants before revisional authority be heard on

its merits giving adequate opportunity to petitioner and respondents. Needless to refer to that all issues among parties are kept open.

3. It is also pertinent to note that it is expected that petitioner should not part with or create third party interest or deal with the suit property till said application is decided by the revisional authority. It is expected that the revisional proceedings are taken up and disposed of as expeditiously as possible, preferably within a period of three months, from the date of receipt of writ of this order.

4. Writ petition, as such, stands disposed of.

Sd/-

(SUNIL P. DESHMUKH, J.)

MTK