

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11430 OF 2015

Sallauddin Ibrahim Shiledar (Deceased)
through L.Rs.

Shri. Dastgir S. Shiledar and anr.

.. Petitioners

vs.

Ld. Additional Commissioner
of Pune Division at Pune and ors.

.. Respondents

Mr. Ashish Pawar h/f. Mr. Manoj Patil for the Petitioner.

Ms Vaishali Nimbalkar, AGP for Respondent Nos.1 to 4.

Mr. A.M. Kulkarni for Respondent No.5

CORAM : M. S. SONAK, J.

DATE : 3 DECEMBER 2015.

P.C. :-

1] Rule. With the consent of and at the request of learned counsel for the parties, Rule is made returnable forthwith.

2] The challenge in this petition is to the order, by which the Additional Commissioner has declined to grant interim reliefs pending disposal of revision application instituted by the Petitioners. This Court, by order dated 20 November 2015, had granted interim relief to the Petitioners. However, it was made clear that the Additional Commissioner was to proceed with the revision application.

3] Rather than adjudicate upon whether the Petitioners are entitled to interim relief pending disposal of the revision application, it would be appropriate if the Additional Commissioner is directed to dispose of the revision application, as expeditiously as possible and in any case within a period of eight weeks from today. Until the disposal of the revision application, however, the interim order granted by this Court to operate. Both the parties are directed to cooperate with the Additional Commissioner in the matter of expeditious disposal of revision application. In particular, the Petitioners herein are directed not to seek any unnecessary adjournment. In case, the Additional Commissioner comes to the conclusion that the Petitioners are delaying or protracting the matter, the Additional Commissioner shall be at liberty to vacate the interim relief granted by this Court. Further, it is made clear that this Court has not examined the merits of the matter and all contentions of all parties are kept open for adjudication by the Additional Commissioner.

4] Parties to appear before the Additional Commissioner on 9 December 2015, at 3.00 p.m. and produce the authenticated copy of this order.

5] Rule is made absolute to the aforesaid extent. There shall, however, be no order as to costs.

6] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

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