

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 740 OF 2015**

Hemant Raghunath Gharat

..Petitioner

Vs.

Pandurang Damodar Bhoir & Ors.

..Respondents

Mr. Rahul S. Kate for the Petitioner

Mr. Sagar Joshi for the Respondent No.1

Mrs. Vaishali Nimbalkar AGP for the Respondent Nos.3 to 5

CORAM : R. M. SAVANT, J.

DATE : 10th APRIL, 2015

P.C.

1 Since against the order dated 14-3-2011 passed by the Sub Divisional Officer, (SDO) Bhiwandi, an Appeal has been filed by the Petitioner which is pending before the Additional Collector Thane, it is not necessary for this Court to interdict in its Writ Jurisdiction. However, a grievance is made by the Learned Counsel for the Petitioner that the application for stay in the Appeal has not been considered by the Additional Collector Palghar. This grievance is made on the basis that though the 32G and 32M certificates have been issued as long back as in the year 1974, a re-enquiry has been directed by the SDO Bhiwandi and the matter has been remanded back to the Tahsildar for a denovo consideration.

2 Upon this the Learned AGP appearing for the Respondent Nos.3 to 5 states that the Additional Collector would dispose of the Appeal within the

time that would be stipulated by this court. The Additional Collector, Palghar is therefore directed to hear and decide the Appeal in question latest by 31-8-2015.

3 With the aforesaid directions, the Writ Petition is disposed of. Pending consideration of the Appeal, no precipitative steps to be taken by the authorities pursuant to the order passed by the SDO Bhiwandi. Needless to state that the Appeal would be decided on its own merits and in accordance with law.

[R.M.SAVANT, J]