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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.324 OF 2015

Bahuleshwar Deosthan Trust

..Petitioner

-Versus-

The State of Maharashtra & Ors.

..Respondents

.....

Mr. Vivek V. Salunke for the Petitioner.

Mr. N. P. Deshpande, AGP, for the Respondent-State.

.....

**CORAM: A. S. OKA AND
A. P. BHANGALE, JJ.**

DATE :- 19th MARCH, 2015.

PC.:

Heard the learned counsel appearing for the Petitioner and the learned AGP for the Respondent Nos.1 to 3.

2] The learned AGP invited our attention to the order dated 4th April, 2014 passed by the Maharashtra Revenue Tribunal in a pending Revision Application. He submitted that so long as the order of status quo passed by the Revenue Tribunal continues to operate, the order dated 24th September, 2014 cannot be implemented. We have perused the order of a status quo. We find merit in the submission of the learned AGP.

3] So long as the order dated 4th April, 2014 passed by the Revenue Tribunal is in operation, prayer clause (a) in this Petition for

implementation of the order dated 12th September, 2014 cannot be considered on merits.

4] The Petitioner is a party to the Revision Application before the Revenue Tribunal. If Petitioner is aggrieved by the order of status quo passed by Revenue Tribunal, the Petitioner may either apply for vacating the order or may challenge the said order in accordance with law. If according to the Petitioner, the Revision Application is not maintainable, the Petitioner is free to raise the said contention before the Revenue Tribunal.

5] Hence, subject to what is observed above, at the stage, this Petition cannot be entertained. We, accordingly, dispose of the Petition by granting liberty to the Petitioner to adopt appropriate remedies. The Petitioner can obviously request the learned Member of the Maharashtra Revenue Tribunal to give priority to the hearing of the application which may be made before the said Tribunal.

6] All contentions on merits of the pending revision application are kept open.

(A. P. BHANGALE,J.)

(A. S. OKA, J.)