

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

CIVIL APPLICATION (CAW) NO.784 OF 2015

IN

WRIT PETITION NO.3993 OF 2011.

(UTTAM NATTHU AATHWALE...VS..DHARMAL SANSTHAN JAWALA-SHAHAPUR & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JUNE 17, 2015.

Heard Mr. V.N.Patil, the learned advocate for the applicant/petitioner and Ms Pallavi Mahashabde, the learned advocate holding for Mr. M.A.Vaishnav, advocate for the respondent Nos.1A to 1G.

The petitioner is seeking stay of the further proceedings of Revenue Case No.1/59(2)/2005-06 of Jawala filed by the respondent No.1 under Section 120-C of the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (hereinafter referred to as "the Tenancy Act, 1958"). It is submitted that the proceedings under Section 120 of the Tenancy Act, 1958 have been initiated on the basis of the Exemption Certificate which is challenged in the writ petition and therefore, the proceedings initiated under Section 120 of the Tenancy Act, 1958 are required to be stayed.

This Court, while issuing Rule, has not granted interim order. Again on 6th March, 2013 the petitioner has prayed for interim order and the prayer is not granted by this

Court. The interim order, as sought by the petitioner, cannot be granted in view of the order passed by this Court on 6th March, 2013.

The Civil Application is **dismissed**.

JUDGE

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