

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 979 OF 2015
SHIVAJI EKNATH DAWARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Narayan B. Narwade
AGP for Respondents: Mr. B.V. Virdhe.

**CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE :25TH JULY , 2016.**

PER COURT:

1] The petitioner has approached this Court against the notice issued to the petitioner for transferring the land in the name of the Government. Mr. Narwade, learned counsel submits that when the petition was filed, the appeal was pending before the Additional Collector against the order directing the payment of the amount in respect of the storage of sand. During the pendency of the writ petition, the said appeal is dismissed and now the petitioner has filed revision before the Divisional Commissioner, Nasik and the same is still pending.

2] We have heard the learned AGP as well.

3] In view of the fact that revision is pending before the Divisional Commissioner, Nasik, we refrain from commenting on the merits of the matter. Till the revision filed by the petitioner is decided by the Divisional Commissioner, the respondent shall not auction/transfer the property owned by the petitioner. The said protection will be operative till the decision of the Commissioner in revision.

4] Writ petition is accordingly disposed of. No costs.

**[K.K. SONAWANE]
JUDGE**

**[S.V. GANGAPURWALA]
JUDGE.**

grt/-