

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5185 OF 2015
WITH CA/9868/2015 IN WP/5185/2015

VILAS VITTHALRAO PATIL
VERSUS
STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. B.L. Sagar Killarikar
AGP for Respondents: Mrs. A.V. Gondhalekar.
Advocate for Intervenor : Mr. U.R. Aute, Adv. h/f. Mr. S.K. Mathpati.

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

PER COURT:

1] We have heard Mr. Sagar Killarikar, for the petitioner, Mr. Aute for respondent Intervenor and the learned AGP for respondents.

2] Though the learned counsel for respective parties have advanced their submissions with regard to the existence of the road from Survey No. 84A, or otherwise, and also about the pendency of the civil suit, we are not entering into the said dispute, in view of the affidavit in reply filed by the respondent No.4. Para. Nos. 10 and 11, of the said reply read thus :

"10. It is submitted that, the competent officer (Sub-Divisional Officer can pass the suitable order after hearing of the concerned parties. However, it is submitted that, as there are two sale deeds executed for the same portion of the land, in fact the parties should go before the Competent Civil Court to get their title decided.

11. At the cost of repetition, it is submitted that, the revenue authority is ready to hear all the parties and take the decision as per the provisions of law and hence suitable

directions may kindly be given."

3] In view of the said affidavit in reply, the authorities can proceed in accordance with law, expeditiously and preferably within six months. Writ petition is accordingly disposed of. No costs. In view of disposal of the writ petition, civil application also stands disposed of.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-