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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2761 OF 2016

Sallauddin Ibrahim Shiledar (decd) by
Legal heirs

.... Petitioners

Versus

State of Maharashtra and ors

.... Respondents

Mr. Ashish P. Pawar, for petitioner.

Mrs. M. P. Thakur, AGP for respondent Nos 1(a) and 1(b).

**CORAM : A. S. OKA &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 3rd MARCH 2016.

P.C. :

1. Not on board. Taken on board.
2. Heard learned counsel for the petitioners and learned AGP for respondent Nos 1(a) and (b).
3. A very limited grievance is made in this petition by the learned counsel for the petitioners. Learned counsel for the petitioners has invited our attention to Revision Application filed by the petitioners on 17th February, 2016.
4. The grievance of the petitioners is that the application for stay in the said revision application is not being heard by the State

Government. In the meanwhile, the Circle Officer has issued a notice stating that possession will be taken on 15th March, 2016. The learned AGP has no instructions about the status of the revision application.

5. We accept statement made by learned counsel for petitioners that the revision application and stay application are pending with the State Government.

6. In view of the limited grievance, we dispose of the petition by passing following order:-

Order

I) We direct the petitioners or their authorised representative to remain present before Revisional Authority on 10th March, 2016 at 2.30 p.m. The Revisional authority shall decide application for stay as expeditiously as possible and in any event, within a period of three weeks from the date fixed for appearance before the said Authority;

II) The order passed on the said application be communicated to the petitioners. Till the date of communication of the said order, no further steps shall be taken on the basis of the notice dated 24th February, 2016 which is annexed to the petition (Exhibit B);

III) In the event, the order be adverse to the petitioners, the protection granted as above shall continue to operate for a period of two weeks from the date of communication of the order;

IV) All contentions on merit of the pending proceedings are kept open;

V) Application for stay shall be decided by the Revisional Authority without being influenced by the limited protection granted under this order;

VI) The Writ Petition is disposed of in above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[A. S. OKA, J.]