

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7112 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mrs.A.R.S.Baxi for the petitioner

Mr.Sidheshwar B. Kalel, A.G.P for the respondent no.1

CORAM : K. K. TATED, J.

DATE : SEPTEMBER 8, 2016

P.C.:

1 Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 Leave to amend.

3 By this petition under Article 227 of the Constitution of India, the Petitioner challenges the order dated 27.4.2016 passed by learned Commissioner, Pune Division, Pune declining to grant stay to the order dated 20.2.2016 passed by Additional Collector, Solapur and also seeks injunction restraining respondent no.7 Tahsildar Barshi to disturb the petitioner's possession in respect of the suit property i.e. Gut No.912 and 919 at Bavi, Tal Barshi Dist Solapur.

4 The learned counsel for the petitioner submits that Divisional Officer, Pangaon, Tal.Barshi, Dist Solapur issued letter dated 24.8.2016 restraining petitioners from cultivating the said land in view of the order passed by Sub-Divisional Officer, Solapur on 20.7.2016. She submits that as of today, the petitioner is in possession of the Gut No.912 and 919 and cultivating the same. Hence, in the interest of Justice, pending the hearing and final disposal of the present petition, respondents may be restrained from taking any coercive action against the petitioner. In support of this contention, petitioner placed on record letter dated 24.8.2016 written by Divisional Officer, Pangaon, Tal.Barshi, Dist Solapur. Same is taken on record and marked 'X' for identification.

5 Considering the submissions made by the learned counsel for the petitioner and letter dated 24.8.2016, I am satisfied that the petitioner has made out a case for ad-interim relief till next date. Hence, following order is passed:

- a) Office is directed to issue notice before admission to the respondent, returnable after 4 weeks.
- b) In addition to usual mode of service, petitioner is permitted to serve Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and

file Affidavit of Service to that effect.

c) The petitioner is directed to remove all office objections within three weeks, failing which the writ petition shall stand dismissed without further reference to the court.

d) Till next date, parties are directed to maintain status quo as of today.

JUDGE