

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8012 OF 2016

Mrs. Savita A. Terave	..Petitioner
Versus	
The State of Maharashtra & Ors.	..Respondents

Mr. Prabhanjan Gujar , Advocate for the Petitioner.
Mrs. M.P.Thakur , AGP for the State.

**Coram : SHANTANU KEMKAR &
M.S.KARNIK, JJ.**

Date : 20th July, 2016.

P. C. :

Heard the parties through their counsel. Being aggrieved by the order dated 11.5.2016 passed by the Additional Commissioner, Pune in the Appeal No.37 of 2016 whereby Petitioner's application for stay has been rejected, the Petitioner has filed this Writ Petition.

2 Briefly stated, the Petitioner challenged the order dated 8.2.2016 passed by the Collector, Solapur in the Dispute Application No.226 of 2015 by filing an appeal before the Additional Commissioner, Pune Division, Pune. Along with the Appeal, the Petitioner has also filed an application for stay. The stay application has been rejected by the Additional Commissioner, Pune Division, Pune by the impugned order. The grievance of the Petitioner is that in the impugned order, the Additional Commissioner while

rejecting Petitioner's prayer for interim relief, has not taken into consideration various grounds raised by the Petitioner in the stay application and the impugned non-speaking order has been passed.

3 Having gone through the impugned order, we find that the Additional Commissioner, Pune Division Pune has not assigned reasons for rejecting Petitioner's application for stay.

4 In the circumstances, we set aside the impugned order and remand the matter back to the Additional Commissioner, Pune Division Pune for passing fresh order on the stay application or to decide the appeal itself finally. Petitioner to appear before the Additional Commissioner, Pune Division Pune, on 27.7.2016. Latter shall decide stay application afresh or the appeal itself finally within a period of two months from the date of appearance of the Petitioner before the Additional Commissioner, Pune Division, Pune. Writ Petition is, accordingly, disposed of.

[M.S.KARNIK, J.]

[SHANTANU KEMKAR, J.]