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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11848 OF 2016

(Production Board dated 14.10.2016)

Mrs. Suman Dinkar Dongre ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Ms. Manjiri Parasnis for the petitioner.

Ms. R.M. Shinde, AGP for the respondent State.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.**

DATED : OCTOBER 15, 2016.

P.C.

Not on board. Taken on production board in view of the urgency.

2. Parties through their counsel.

3. The grievance of the petitioner is that challenging the order passed by the S.D.O. Junnar, Ambegaon (respondent no. 4), the petitioner has filed an appeal before the Collector under section 247 of the Maharashtra Land Revenue Code seeking prayer for setting aside the order passed by the S.D.O. and also for stay of the said order during the pendency of the said appeal. The Collector vide order dated 3.10.2016 refused to grant status quo. Challenging the said order, petitioner has filed revision before the Divisional Commissioner, Pune along with application praying for interim relief.

When no orders were passed on the said application for interim relief, petitioner had no option but to approach the concerned Minister in revision. However, according to petitioner, till date, neither the Commissioner has passed any order in regard to the petitioner's prayer in the revision and in the stay application nor the Minister concerned has passed any order. In the circumstances, the petitioner had approached this Court by filing this petition under Article 226 of the Constitution of India.

4. Having considered the submissions made by the learned counsel for the parties, we are inclined to dispose of this petition by directing the petitioner to appear before the Divisional Commissioner, Pune on 8.11.2016 at 11.00 am. On that date or immediately thereafter, the Commissioner shall consider the petitioner's prayer for grant of interim order against the order passed by the S.D.O. and Collector, Pune and pass appropriate order in accordance with law. Till the application for interim relief is decided by the Commissioner, status quo as it exists today in respect of the land in question, shall be maintained by the parties.

5. Petition stands disposed of in the aforesaid terms.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)