

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION STAMP NO.31482 OF 2016

**Shri. Dilip Maruti Kadam and another
Versus**

..Petitioners

Shri. Sagar Arun Kadam and others

..Respondents

Mr. R. C. Barge for the Petitioners.

Mr. K. U. Patil for the Respondent No.1.

Mr. S. D. Rayrikar, AGP for the Respondent Nos.2 to 4.

CORAM : R. M. SAVANT, J.

DATE : 25th NOVEMBER, 2016

PC.

1 The cause for invoking the writ jurisdiction of this Court under Article 227 of the Constitution of India was the fact that the Circle Officer has issued a notice dated 04.11.2016 that he would be taking possession of the portion of the land which has been allegedly encroached by the Petitioners. The Petitioners' Appeal was pending before the Hon'ble Minister for Revenue, Government of Maharashtra against the order passed by the Additional Commissioner, Pune Division Pune. The Learned AGP had therefore sought time yesterday i.e. on 24.11.2016 to take instructions. The Learned AGP has today produced the order dated 18.11.2016 passed by the Hon'ble Minister for Revenue, Government of Maharashtra, by which order, the Revision filed by the Petitioners has been dismissed and resultantly, the order dated

(912)-WPST-31482-16.doc.

01.07.2016 passed by the Additional Commissioner, Pune Division, Pune, has been confirmed. In view of the said supervening event, the above Petition has turned infructuous and is disposed of as such.

2 The Learned Counsel for the Petitioners states that the Petitioners are desirous of challenging the said order dated 18.11.2016 by filing appropriate proceedings in this Court. To facilitate the same, the protection granted vide order dated 24.11.2016 is continued upto 06.12.2016.

3 A copy of the said order dated 18.11.2016 is taken on record and marked as "X" for identification.

[R.M.SAVANT, J]