

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.Nos.4398 and 4441 OF 2016

COMMON ORDER:

The petitioners in both the writ petitions filed different revisions, which are pending before the 2nd respondent. Though the said revisions are admitted by the 2nd respondent, under the impugned orders Ex.P-1, dated 21-12-2015, the request for grant of stay was rejected on the basis of available record. The said orders are questioned in these writ petitions.

Sri A.Prabhakar Sharma, who appears for the 5th respondent, submits that the maintainability of the revisions itself is questioned by the 5th respondent and also submits that the 2nd respondent has already called for the records and the main revision petitions itself can be heard and disposed of at an early date.

It is evident from the impugned orders that the 2nd respondent has entertained the revisions against the orders of the 3rd respondent, dated 23-05-2015 questioning the ryotwari patta granted to the 5th respondent.

Since the 5th respondent has succeeded before the 3rd respondent, the petitioners have filed the revisions. Since the orders of the 3rd respondent, which are impugned in the revisions, are dismissed, there was nothing to be stayed by the 2nd respondent pending revisions. Hence, the rejection of stay, under the impugned orders by the 2nd respondent, is clearly justified and no interference of this Court is called for. However, the 2nd respondent may fix an early date and hear the petitioners and the respondents and dispose of the

revisions itself on merits in accordance with law.

Accordingly, the writ petitions are disposed of. No costs.

Miscellaneous Petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

16.02.2016

Prv

