

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO. 3974 OF 2017**

Dynacraft Machine Company Ltd.

..Petitioner

Vs.

**The State of Maharashtra through
its Principal Secretary
Revenue and Forest Dept & Ors**

..Respondents

**Mr. P. S. Dani Senior Advocate, a/w Mr. Suneet Tyagi, Mri Vishesh Karla i/b
Vidhi Partners for the Petitioner**

Mr. S. D. Rayrikar AGp for the Respondent Nos.1 to 3 and 5

**Mr. Mustafa Doctor, Senior Advocate, a/w Mr. Surel Shah, Mr. Aditya
Khandeparkar, Mr. Vasant Shelke and Mr. Surya Abhishek R i/b M/s
Hariani & Co. for the Respondent No.4**

CORAM : R. M. SAVANT, J.

DATE : 13th FEBRUARY, 2017

P.C.

1 The cause for moving the above Writ Petition was the fact that the Revisionary Authority was not available to take up the Revision filed by the Petitioner against the order passed by the Additional Commissioner, Konkan Division dated 24-1-2017. By the said order, the directions issued by the Collector by his orders dated 14-8-2006 and 17-7-2012 for demarking the plot admeasuring 1250.30 sq.mtrs. and handing over the same to the Respondent No.4 has been upheld.

2 The Learned AGP on instructions pointed out that the Revisionary Authority would become available this week. In view thereof, it is not

necessary to entertain the above Petition. The Learned Senior Counsel appearing for the Respondent No.4 states that the Revision filed by the Petitioner may be directed to be disposed of within a particular time frame and that the protection which is operating in favour of the Petitioner may be continued till then. Hence the following directions :

(i) The Revisionary Authority is directed to hear and decide the Revision Application filed by the Petitioner latest by 30-4-2017 by giving proper opportunity to the parties .

(ii) The parties to appear before the Revisionary Authority on 28-2-2017 at 3.00 p.m. The Learned Senior Counsel for the parties assures this Court that the parties would appear in terms of the directions as contained in the instant order and there is therefore no need to issue notice to the parties by the Revisionary Authority.

(iii) The interim protection which is granted vide order dated 8-2-2017 would continue to operate till the disposal of the Revision Application.

(iv) The contentions of the parties are kept open for being urged before the Revisionary Authority. The Revisionary Authority would decide the Revision Application on its own merits and in accordance with law.

3 With the aforesaid directions the above Writ Petition is disposed
of.

4 The parties to act upon an ordinary copy of this order duly
authenticated by the Court Associate / Shirestedar.

[R.M.SAVANT, J]