

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

WRIT PETITION NO.9130 OF 2016

Shri Shashikant Kalyanrao Londe .. Petitioner

vs.

Yuvraj Shamu More & Ors. .. Respondents

Mr.Kuldeep U. Nikam for the Petitioner

Mr.U.R.Mankapure for the respondent no.1

Mr.S.H.Kenkal, A.G.P. for the respondent

**CORAM : K. K. TATED, J.
DATE : JULY 26, 2017**

P.C.:

1 Heard the learned counsel for the parties.

2 Both the counsel filed Consent Minutes of Order dated 26.7.2017. Same is taken on record and marked 'X' for identification which reads thus:

“CONSENT MINUTES OF ORDER

- 1. Rule*
- 2. By Consent of parties rule made returnable forthwith.*
- 3. By this Petition under Article 227 of the Constitution of India, the petitioner challenges the order dated 29.09.2015*

passed by Ld. Commissioner, Pune Division, Pune R.T.S. Rev. No. 40/2010, arising out of Judgment and Order dated 18.01.2010, Ld. Collector, Sangli in 2nd R.T.S. Appeal No.147/2009 and the Order dated 21.07.2009 Ld. Deputy Collector (ROHAYO) Sangli in R.T.S.No.92/2007.

4. It is admitted position that Petitioner herein had filed suit before competent civil court bearing RC.S. No. 220/2010. The Ld. Civil Judge, Junior Division, Miraj initially had granted an interim relief in the said suit however, subsequently, the suit is dismissed by Ld. Civil Judge, Junior Division, Miraj vide Judgment and decree dated 30.09.2016. The appeal filed by the Petitioner herein bearing R.C.S. No. 357/2010 is pending before Ld. District Judge Sangli and the application below Exh. 9 for temporary injunction is allowed. The Respondents herein have filed a Writ Petition challenging said interim order bearing Writ Petition No. 4411/2017 which is pending before the Honble High Court.

5. The cultivation entry under dispute is objected by present Respondent No.1 and was converted in Takrar Registrar. An independent litigation/dispute as regards to the mutation entry in respect of sale deed in question is also pending between the parties before the Addl. Commissioner, Pune.

6. Since the parties have already initiated civil proceedings seeking injunction in respect of property in dispute, the entries will be subject to result of the said civil litigation. Hence, considering the aforesaid aspects, the following order will meet the ends of justice.

ORDER

1. The Writ petition is disposed off thereby observing that the entry in cultivation column in respect of Agricultural land bearing Gat No. 382 situated at village Tanang, Taluka Miraj, District Sangli will be subject to result of civil proceedings between the parties.

2. Parties are directed to maintain status qua regarding cultivation entry qua aforesaid property.

3. *The petition is disposed off with no order as to cost.”*

3. Writ Petition stands disposed of in terms of Consent Minutes of order dated 26.7.2016.

4. No order as to costs.

(K.K.TATED, J.)