

the writ petition, a *status quo* order came to be granted on 5 May 2015 which is being continued from time to time.

2. We are of the opinion that there is no point in keeping the present writ petition pending to decide whether there could have been a vacation of stay order *ex parte* by the Divisional Commissioner, Pune. Instead, the Divisional Commissioner, Pune, should be directed to dispose of the appeal itself on merits after hearing the parties. Therefore, we dispose of the writ petition by directing the parties to maintain *status quo* so far as possession of the property is concerned and we direct the respondent - Divisions Commissioner, Pune, to dispose of the appeal on merits after hearing the parties concerned. The above exercise has to be completed within two months from today.

3. Petitioner is directed to appear before the Divisional Commissioner, Pune, on 2 March 2017 at 11.00 a.m.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)