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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 7021 OF 2015
WITH
CIVIL APPLICATION (St.) No. 17802 OF 2017

Maruti K. Jadhav (Since deceased through legal heirs)	...	Petitioner
Vs.		
Ashok Namdeo Jadhav & Ors.	...	Respondents
And		
Ashok Namdeo Jadhav	...	Applicant in the civil application

Mr. Vijay Patil i/b Rahul S. Kulkarni, for the Petitioner.
Mr. Sudhir Sadavarte, for Respondent No. 1.
Mr. S. D. Rayrikar, AGP for the Respondent – State.

CORAM : M. S. SONAK, J.

DATE : SEPTEMBER 13, 2017

PC :

1. Not on board. In view of urgency, matters are listed today on the production board.
2. After the petition is heard for some time, learned counsel Mr. Patil, appearing for the Petitioner seeks leave to withdraw the

petition without prejudice to the rights and contentions raised in the matter, which is pending for adjudication before the Tahsildar. He however, requests that directions may be issued for expeditious disposal of the main matter before the Tahsildar. He also submits that status-quo order granted by this Court may be continued until disposal of the proceeding before the Tahsildar. Learned counsel Mr. Sadavarte appearing for Respondent No. 1 submits that the Respondents desire to undertake some construction, and therefore, status-quo order may not be continued.

3. This petition is allowed to be withdrawn, without prejudice to the rights and contentions of both parties to assert their respective case before the Tahsildar. The Tahsildar is directed to dispose of the said proceeding as expeditiously as possible, and in any case within a period of six months from the date of receipt of authenticated copy of this order.

4. The status-quo granted by this Court is continued for a period of one month from today. Within this period, it will be open to the Petitioner to take out an application for an interim relief before the Tahsildar. The Tahsildar to decide the said application on its own

merits and in accordance with law.

5. The parties to appear before the Tahsildar on 20th September, 2017 at 11.00 a.m. and produce authenticated copy of this order. Writ petition is accordingly disposed of in the aforesaid terms.

6. In view of disposal of this petition, Civil Application (St.) No. 17802 of 2017 filed therein does not survive and is therefore, disposed of.

Sd/-
[M. S. SONAK, J.]

Vinayak Halemath