

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION**

WRIT PETITION (ST.) NO. 30227 OF 2017

Dattu C. Pawar & Anr.

.. Petitioners

v/s.

The State of Maharashtra

Ministry of Revenue Department & Ors.

.. Respondents

Mr. Krupanshu Nandu a/w Mr. Bharat Gadhavi i/b Tejas Dande & Associates for the petitioners

Mr. S.H. Kankal, AGP for respondent nos. 1 and 8 to 11.

CORAM : M.S. SANKLECHA, J.

DATED : 6th NOVEMBER, 2017

P.C.

1. This petition has been filed seeking a direction to the respondent no.1 – State of Maharashtra to dispose of the petitioners' Revision Application dated 11th October, 2017 from the order dated 21st August, 2017 passed by the Additional Commissioner u/s 257 of the Maharashtra Land Revenue Code, 1966 (Code) expeditiously.

2. The petitioners had originally filed Writ Petition (St.) No.28073 of 2017 in this Court challenging the order dated 21st August, 2017 passed by the Additional Commissioner, Nashik. The

above petition was withdrawn on 6th October, 2017 with liberty to file a Revision Application before the State Government u/s 257 of the Code. The order dated 6th October, 2017 had directed the parties to maintain status-quo for a period of four weeks to enable the petitioners to file the Revision Application and obtain appropriate order from the Revisional Authority i.e. respondent no.1 before the expiry of four weeks time. The petitioners along with its Revision Application dated 11th October, 2017 also filed an application for stay of the order dated 21st August, 2017 passed by the Additional Commissioner, in its Revision Application. However, the State Government has not granted the petitioners any date for hearing of its Revision Application and / or even its stay application.

3. On the last occasion i.e. on 2nd November, 2017, Mr. Kankal, learned AGP sought time to obtain instructions from the State Government as to the time within which they would dispose of the petitioners' Revision Application and / or stay application in the Revision Application. Mr. Kankal, learned AGP states that he has been informed that in view of large pendency they are unable to take up the Revision Application of the petitioners out of turn. However,

how does this stop the State Government from deciding the petitioners' stay application in pending Revision.

4. In the above view, the State Government is directed to hear the petitioners' stay application dated 11th October, 2017 in the pending Revision Application, as expeditiously as possible and preferably within four weeks from today. The status-quo as of 2nd November 2017 to continue till such time as the State Government dispose of the petitioners' stay application and / or Revision Application, which ever is earlier.

5. The Petition is disposed of in the above terms. No order as to costs.

(M.S. SANKLECHA, J.)