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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14123 OF 2017

ITC Limited and anr.

.. Petitioners

Vs.

Tahsildar, Ambarnath Taluka and ors.

.. Respondents

Mr. Ravindra Kadam, Senior Advocate a/w Mrs. Tanmayi Rajyadhyaksh,
Mr. Nimish Kothare, Mr. Nikhil Mutha i/by Nanu Hormasjee and co. for
petitioners.

Mr. Prashant P. More, AAGP for State.

CORAM: NARESH H. PATIL &
NITIN W. SAMBRE, JJ.

DECEMBER 22, 2017.

P.C.

1. The learned Senior Counsel appearing for the petitioners submits that consequent to the order passed by this court on 23/3/2016 in Writ Petition No. 8858 of 2016, the Divisional Commissioner, Konkan Division, Navi Mumbai passed order on 13/11/2017. The said order was adverse to the petitioners. The learned counsel submits that against the said order dated 13/11/2017, the petitioners have filed appeal before the

State Government under the provisions of the Maharashtra Land Revenue Code, 1966. The said appeal is to be heard by the concerned Hon'ble Minister. It is further submitted that along with the appeal, stay petition is also filed before the State Government. However, since the concerned Hon'ble Minister is not available to hear the appeal / stay petition, this petition has been moved for restricted relief, seeking continuation of the protection granted by this court on 23/3/2016. The learned Senior Counsel appearing for the petitioners further submits that protection of further two weeks be granted in case the order passed by the State Government/Hon'ble Minister on the appeal/stay petition is adverse to the petitioners so that the petitioners may resort to appropriate remedy in accordance with law.

2. The learned AGP, on instructions from Mr. Prashant Joshi, Tahsildar, Ambarnath, who is present in court, submits that for a period of four weeks the respondent authority will not take any coercive steps in respect of the concerned demands against the petitioners consequent to the order passed by the Divisional Commissioner.

3. The Hon'ble Minister would hear the stay petition filed by the petitioners at the earliest and preferably within four weeks from today. In case the order passed by the Hon'ble Minister / State Government is adverse to the petitioners, for further two weeks' period no coercive action in respect of the concerned demands be taken against the petitioners.

4. With the aforesaid directions and the statement made by the learned AGP, petition stands disposed of.

5. It is clarified that we have not expressed any opinion on the merits of the matter. All contentions are kept open.

(NITIN W. SAMBRE J.)

(NARESH H. PATIL,J.)