

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1319 OF 2018

DATTATRAYA BHAURAO MAHAJAN DIED LRS KAYSHALYA DATTATRAYA
MAHAJAN AND OTHERS
VERSUS
THE DEPUTY DIRECTOR OF LAND RECORDS, NASHIK REGION AND
OTHERS

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Advocate for the Petitioners : Shri Deshmukh N. E..
AGP for Respondent 1 : Shri S.K.Tambe.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 05th February, 2018

Per Court:

1 Leave to correct the cause title. Correction be carried out forthwith.

2 The Petitioners are aggrieved by the interim order dated 18.10.2017 passed by the Deputy Director of Land Records, Nashik Division, Nashik, by which, the order dated 18.04.2017 passed by the District Superintendent of Land Records, Ahmednagar has been stayed by way of an interim measure during the pendency of the said Appeal No.341/2017/ Ahmednagar.

3 The grievance of the Petitioners is that the proceedings have been initiated after a passage of 43 years in connection with the Mutation

Entry dated 16.03.1974.

4 The learned AGP appearing on behalf of the statutory authority/ Respondent No.1 submits that as the appeal is pending and pertains to a mutation entry, the said appeal itself could be finally decided within a period of three months as the parties have already appeared before Respondent No.1.

5 Considering the above and the fact that the interlocutory order has been challenged, this Writ Petition is disposed of with a direction to Respondent No.1 to decide the pending Appeal No.341/ 2017/ Ahmednagar, by affording a reasonable opportunity of hearing to all the litigating sides and preferably on or before 31.05.2018.

6 Needless to state, the contentions of the litigating sides including the objection of the Petitioners as regards the delay of 43 years, shall be considered by the said Authority on their own merits.

kps

(RAVINDRA V. GHUGE, J.)