

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4201 OF 2017

DIWAN @ VIJAY BADAM PATARE
VERSUS
MADHUKAR PRALHAD PATHE AND OTHERS

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Advocate for Petitioner : Shri Karpe Rahul R.
Advocate for Respondent 1 : Shri Bhandari Anand P.
AGP for Respondents 13 & 14 : Shri Tambe S.K.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: July 04, 2018

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PER COURT :-

1. I have heard the learned Advocates for the respective sides for sometime.
2. There is no dispute that the wife of the petitioner, namely, Smt. Prayagabai along with two other ladies, have preferred RCS No.15 of 2014 and have been granted interim relief with regard to the right of way in the suit property.
3. It requires no debate that when it comes to revenue proceedings, the same would be subject to the result of the civil court proceedings in the event such proceedings are initiated covering the same subject matter.

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4. As such, I am of the view that this petition can be disposed off and the impugned orders would be subject to the result in the RCS pending before the learned Civil Judge. As such, this petition stands disposed off.

5. Learned Advocates for the respective sides submits that all contentions putforth by them in these proceedings, as well as in the civil suit be kept open for the trial court to consider on their own merits. The said request is accepted.

(RAVINDRA V. GHUGE, J.)

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