

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

WRIT PETITION NO. 2283 OF 2017

Waman Ramchandra Joshi & Anr.

... Petitioners

VERSUS

The State of Maharashtra & Ors.

... Respondents

.....

Mr S. D. Kotkar, Advocate for the petitioners
Mr P. S. Patil, AGP for respondents No. 1 to 6
Mr V. S. Kadam, Advocate for respondent No. 7

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 28TH MARCH, 2018.

ORDER:

1. In the earlier round of litigation, this Court vide order dt.27.01.2016 in Writ Petition No. 1108 of 2013, had directed the authorities to proceed ahead to determine the nature of the property i.e. whether it is an Inam property and if it is an Inam property, then the nature of Inam, after hearing all the parties concerned.

2. It is submitted that, the said proceedings are still pending. The proceedings determining the nature of the land are still pending and during the pendency of the said proceedings, the impugned order is passed directing submission of the proceedings for Virasat.

3. The Virasat proceedings would be in respect of a service Inam land / Khidmat Inam land. When the nature of Inam itself is to be determined and said proceedings are pending, the status of the property should be maintained by the parties and the property should not change the hands. The proceedings determining the nature of property shall be decided by the authorities expeditiously and even if the succession proceedings are taken up, the same will have no effect till the proceedings determining the nature of property are concluded.

4. With these observations, the writ petition stands disposed of. No costs.

[A. M. DHAVALE]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde