

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8617 OF 2018

SHARAD VASUDEO MISKIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. A.A. Nimbalkar
h/f. Mr. P.S. Koshti.
AGP for Respondent Nos. 1 to 3 : Mr. S.R. Yadav.
Advocate for Respondent No. 4 : Mr. M.U. Shelke.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 31st August, 2018.

PER COURT :

1. I have heard the learned advocates for the respective sides and the learned AGP on behalf of the State/Revenue authorities.
2. By this petition, the petitioners are aggrieved by an interlocutory order dated 23/05/2018, passed by the Sub-Divisional Officer, in 2018/ROR/61. The appeal under Section 247 of the MLR Code has been finally heard by the SDO and the matter is reserved for judgment, as is submitted by the learned advocate for respondent No. 4.
3. Considering the above, as this Court has granted ad-interim protection to the petitioners and in the meanwhile as the SDO is said to have heard the learned advocates of the respective sides,

this petition is disposed of with the direction that the SDO shall proceed to deliver a reasoned order on the contentions of the rival sides as expeditiously as possible and in any case on/or before 30th September, 2018.

4. Learned counsel for the petitioner submits that he is unaware whether all the parties have been heard by the SDO. In order to deal with the above stated eventuality, the litigating sides would appear before the SDO on 10th September, 2018. Only if any of the parties have not been heard, respondent No. 2 would extend an opportunity of hearing to the said parties on the said date and thereafter close the matter by mentioning a date on which he would deliver his order. Needless to state, if all the parties are already heard, the SDO would not re-open the file on 10th September, 2018 and shall proceed to consider the matter for delivering his order.

5. The ad-interim protection granted by this Court would continue till 30th September, 2018, or till the date on which the SDO would deliver an order, whichever is earlier.

(RAVINDRA V. GHUGE, J.)