

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3744 OF 2018

Kantilal Motichand Nagda & Ors.	..	Petitioners
Vs.		
State of Maharashtra & Ors.	..	Respondents

Mr.K.P. Tiwari i/by M/s.K.P. Tiwari & Co. for the petitioners.
Mr.S.H. Kankal, AGP for the respondents-State.

CORAM : R.D. DHANUKA, J.
DATE : 23rd March 2018

P.C.:

. Matter is allowed to be produced at 3.00 p.m.

2. Mr.Kankal, learned AGP for the respondents submits that the impugned order annexed at Exhibit 'A' to the petition is appealable before the Sub-Divisional Officer under Section 247 of the Maharashtra Land Revenue Code, 1966. Mr.Tiwari, learned counsel for the petitioners states that his clients, in that event, would file an appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 before Sub-Divisional Officer within one week from today. Statement is accepted.

3. Writ petition is disposed of with liberty to file an appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 before the Sub-Divisional Officer, Bhiwandi. The respondents shall not take any coercive steps against the petitioners pursuant to the impugned order dated 1st January 2018 for a period of three weeks from today. The petitioners would be at liberty to apply for continuation of ad-interim

protection before the Sub-Divisional Officer. The learned Sub-Divisional Officer shall dispose of the said application for continuation of ad-interim protection before expiry of three weeks. It is made clear that if appeal is not filed within one week from today, ad-interim protection granted by this Court to stand vacated without further reference to the Court.

4. It is made clear that this Court has not expressed any views on the issue whether the petitioners are entitled to seek any interim protection or about the merit of the challenge to the impugned order dated 1st January 2018 in this order. All contentions of both the parties are kept open. Parties to act on the authenticated copy of this order.

R.D. DHANUKA, J.