

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO.8754 OF 2017****Smt.Radhabai Vitthalrao Kavde & Anr.****..... Petitioners****VERSUS****(Proposed) Kavde Park Land Co-operative
Housing Society Limited,
Chief Promoter & Ors.****..... Respondents**

Mr.P.S.Dani, Senior Advocate, i/b. Mr.Prabhanjan Gujar for the
Petitioners.

Mr.Shailesh D. Chavan for the Respondent nos. 1A and 1B.

Mr.Yuvraj P. Narvankar for the Respondent no.2A.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent nos. 3 and 4.

CORAM : R.D. DHANUKA, J.**DATE : 14th JUNE, 2018****P.C.**

Heard learned counsel appearing for the parties at length.

2. A perusal of the record *prima facie* indicates that though the authority while passing an order on 17th November,2016 remanded the matter back for the purpose of confirmation of the mutation entry under sections 149 and 150 of the Maharashtra Land Revenue Code, 1966, the revenue authority had entered the names of the respondent nos. 1A, 1B and 2A in the mutation entry though no fresh order was passed pursuant to the said order dated 17th November,2016.

3. The revision application filed by the petitioners is pending

before the Deputy Director of the Land Record under section 256 of the Maharashtra Land Revenue Code, 1966. The Deputy Director has however rejected the stay application filed by the petitioners.

4. Learned counsel appearing for the parties jointly state that they will not ask for any unnecessary adjournment before the Deputy Director of the Land Record in the revision application filed by the petitioners.

5. In my *prima facie* view the revenue authorities could not have recorded the names of the respondent nos. 1A, 1B and 2A in the mutation record purportedly for implementation of the order dated 17th November, 2016 annexed at page 79 of the writ petition. The respondent nos. 1A, 1B and 2 are accordingly directed not to take any further steps in implementation of or giving any effect of any nature whatsoever pursuant to the entries recorded in their name in the revenue entries during the pendency of the revision application filed by the petitioners and for a period of two weeks from the date of communication of the order if any passed by the revisional authority in the revision application filed by the petitioners. The revisional authority is directed to dispose of the revision application filed by the petitioners within three months from the date of the first meeting.

6. All the parties concerned shall remain present before the Deputy Director, Land Record on 27th June, 2018 at 03.00 p.m. without fail.

7. During the pendency of the said revision application and for a

period of two weeks from the date of communication of the order, the order of remand dated 17th November,2016 passed by the District Deputy Collector shall remain stayed.

8. Writ petition is disposed of in the aforesaid terms. There shall be no order as to costs.

9. The parties as well as the authority to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]