

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.1549 OF 2016

Sunanda Bapurao Patil and others.] Petitioners

 $V_S.$

Dinkar Madhu Chavan and others.] Respondents

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Mr. F.A. Wasif i/b Mr. N.R. Bubna, for the Petitioners.

Mr. P.P. Pujari, A.G.P., for Respondent No.55.

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CORAM : R.G. KETKAR, J.

DATE : 19TH NOVEMBER, 2018.

P.C.

Heard Mr. Wasif, learned Counsel for the petitioners and Mr. Pujari, learned A.G.P, for respondent No.55.

2. This Petition takes exception to the order dated 28th April, 2015 passed by the Hon'ble Minister for State (Revenue). By that order, the Hon'ble Minister admitted Review Petition and stayed order dated 31st January, 2014 passed by the then Hon'ble Minister for State (Revenue).

3. Mr. Wasif invited my attention to the order dated 4th February, 2016. By that order, this Court (Coram: M.S. Sonak, J.) stayed impugned order dated 28th April, 2015 after recording statement on behalf of the petitioners that they will neither alienate nor create any third party right in the suit property. It was also made clear that pendency of the present Petition will not

bar the Hon'ble Minister for State (Revenue) from proceeding with the review petition itself on merits.

4. The matter was heard in the morning session and was kept in the post lunch session so as to enable Mr. Pujari to take instructions as to whether review petition is disposed of or is still pending. If the review petition is pending then within what time it will be decided on merits. Upon taking instructions from Assistant Section Officer Mr. Anand Shivaji Nimablkar who is present in the Court, Mr. Pujari states that Review Petition is not yet disposed of and within 8 weeks from today, the review petition will be disposed of in accordance with law. Statements made on instructions are accepted.

5. In view of the order dated 4th February, 2016, in my opinion, this Petition can be disposed of by directing the Hon'ble Minister for State (Revenue) to dispose of review petition on merits within 8 weeks from today in accordance with law.

6. All contentions of the parties on merits are expressly kept open. Till disposal of the review petition and for a further period of 4 weeks there from, the impugned order dated 28th April, 2015 shall remain stayed so as to enable the respondents to communicate the order passed on the review petition to the petitioners. The impugned order shall remain stayed subject to the petitioners neither alienating nor creating third party interest in the suit property. Writ Petition is disposed of. Order accordingly.

[R.G. KETKAR, J.]