

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

970 WRIT PETITION NO.14958 OF 2019

SHIVRAM DADA BORASE THROUGH GPA MANJARAM BORSE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Wagh Jitendra M.
AGP for Respondents-State : Mr. P. N. Kutti.
Advocate for Respondent No.6 : Mr. S.V. Bhagde.
Advocate for Respondent No.9 : Mr. M.A. Khan.

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**CORAM : S.V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.**

DATE : 11.12.2019

PER COURT :-

1. Mr. Wagh, the learned counsel submits that against the order of the Commissioner, the petitioner has filed revision before the Hon'ble Minister, however, as the Hon'ble Minister is not in the office, the same is not decided. The Tahsildar is executing the order passed by the Collector and confirmed by the Commissioner. According to the learned counsel, till the revision is decided by the Hon'ble Minister, the further proceedings be stalled.

2. It is submitted by the learned counsel for the petitioner that the Hon'ble Minister is not in office.

3. Be that as it may, the dispute is only with regard to the mutation entries which is made for fiscal purposes. Whatever proceedings are taken up by the Revenue Officer would certainly be subject to the decision of the Revisional Authority in the revision filed by the petitioner. Even if, mutation entry is effectuated, that would not give any further right as the revision is already pending before the Hon'ble Minister. In case, the revision of the petitioner is allowed, the Tahsildar or such other authority has to take steps as per the orders passed by the Revisional Authority.

4. With the aforesaid observations, the Writ Petition is disposed off. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)

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vmk/-