

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3391 OF 2019

Rajendra Shivaji Bhusnar and others	...	Petitioners
Vs.		
Bajirao Sadashiv Pangare and others	...	Respondents

Mr. Ajay A. Joshi for Petitioners.
Mr. Anvil S. Kalekar for Respondent No.1.
Mr. C. D. Mali, AGP for Respondent Nos.2 and 3-State.

CORAM : UJJAL BHUYAN, J.
DATE : NOVEMBER 06, 2019

P.C. :

Heard Mr. Joshi, learned counsel for the petitioners and Mr. Kalekar, learned counsel for respondent No.1; Also heard Mr. Mali, learned AGP for respondent Nos.2 and 3-State.

2. Matter relates to mutation entry in respect of the land in question.
3. According to the petitioners, by virtue of sale deeds dated 21.10.2014 and 24.12.2014, they became the owners of the land in question pursuant to which their names were recorded in the land record vide mutation entry Nos.2297, 2437 and 2444. This was questioned by respondent No.1 in revenue appeal bearing R.T.S. Appeal No.28 of 2016 before the Sub-Divisional Officer, Pandharpur. However, the appeal was dismissed on 19.09.2016 whereafter respondent No.1 preferred second R.T.S. Appeal before the Additional Collector, Solapur, which was allowed on 31.12.2018. While allowing this appeal, Additional Collector directed cancellation of mutation entry Nos.2297, 2437 and 2444.
4. Being aggrieved by the aforesaid appellate order, petitioners preferred revision application before respondent No.2, which was registered as RTS/Revision/67/2019. Alongwith the revision application, petitioners also filed an application for stay. By order dated 13.02.2019,

revisional authority i.e. respondent No.2 rejected the application for stay.

5. Aggrieved, present writ petition has been filed.
6. This Court on 29.03.2019 passed the following order:
 - “2. Issue notice to the Respondents, returnable on 30/04/2019. In addition to service of notice through Court, the Petitioners shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date.
 3. The learned counsel/AGP Mr. S. D. Rayrikar, wavier service of notice on behalf of Respondent/State.
 4. Till the returnable date, the parties are directed to maintain status quo as of today in respect of subject matter of the proceedings before the Revisionary Authority i.e. the Additional Commissioner of Pune.”
7. While hearing the matter it transpired that the above revision application is still pending for final decision.
8. Learned counsel for respondent No.1 submits that hearing of the revision application is fixed on 04.12.2019.
9. In such circumstances, Court is of the view that it would be more appropriate to direct respondent No.2 to finally decide the revision application one way or the other in accordance with law as expeditiously as possible at any rate within a period of two months from today and till the revision application is decided, interim order passed by this Court on 29.03.2019 should hold the field.
10. Ordered accordingly.
11. It is however made clear that no observation is made on merit and all contentions of the respective parties are kept open.
12. With above directions, writ petition is disposed of.

(UJJAL BHUYAN, J.)