

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5419 OF 2019

Mangala Pandit Chavan & Ors. Petitioners

VERSUS

State of Maharashtra & Anr. Respondents

Mr.Surel S. Shah, a/w. Mr.Saurabh Butala, i/b. Mr.Amogh Khadye for the Petitioners.

Mr.S.H.Kankal, A.G.P. for the State – Respondent no.1.

Ms.Indrayani Koparkar for the Respondent no.2.

CORAM : S.S. SHINDE, J.

DATE : 2nd MAY, 2019

P.C.

Learned counsel appearing for the petitioners submits that the petitioners have filed the revision before the Minister (Revenue, Government of Maharashtra, Mantralaya). It is submitted that in the revision, stay application is filed by the petitioners. However, neither the stay application nor the revision is being taken up for hearing by the learned Minister (Revenue). Therefore, learned counsel appearing for the petitioners prays limited protection till the stay application pending in the revision is heard by the respondent no.1.

2. Learned counsel appearing for the respondent no.2 submits that the petitioners may pursue the respondent no.1 for early hearing of the stay application and also the revision and this court may not entertain

this petition.

3. Upon hearing the learned counsel appearing for the parties, the ends of justice would be met with in case the following order is passed :-

ORDER

(a) The respondent no.1 is directed to decide the stay application/revision filed by the petitioners as early as possible however within six weeks from today. In case, it is possible for the respondent no.1 to hear the revision application itself, the respondent no.1 is free to hear the revision application and to decide the same on its own merits after giving an opportunity to the parties to put forth their contentions within the aforesaid period.

(b) Limited protection of six weeks is granted to the petitioners.

(c) In case further impugned order in the revision is not yet implemented, the same shall not be implemented for six weeks from today.

(d) The parties to extend full co-operation for early decision of the stay application/revision.

(e) All the contentions on merits raised by the

petitioners or the respondent no.2 are kept open to be agitated before the respondent no.1 during the course of the hearing of the stay application and also revision.

4. With all observations, writ petition stands disposed of.
5. The parties to act on the authenticated copy of this order.

[S.S.SHINDE, J.]