

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1369 OF 2019

(LAXMIKANT KISAN GIRADKAR...VS.. SHUBHAM ANILKUMAR GIRADKAR & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Nitin A. Jachak, Advocate for Petitioner.
Shri Sagar Ashirgade, Addl. G.P. for Respondent Nos.3,5,6 & 7.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 21, 2019.

Heard.

The orders passed by the subordinate Authorities under the provisions of the Maharashtra Land Revenue Code, 1966 are challenged by the petitioner before the Additional Commissioner in Revision under Section 257 of the Maharashtra Land Revenue Code, 1966. In the revision application, the petitioner had prayed for stay of the effect, operation and implementation of the order challenged in the revision application. This prayer for interim order is rejected by the learned Additional Commissioner by the impugned order.

The petitioner has not been able to point out any prejudice which may be caused to the petitioner as the prayer for interim stay made by him in revision application is rejected. The learned advocate for the petitioner has submitted that the authorities may act on the order which is challenged by the petitioner in revision application before the Additional Commissioner, and if the entries are mutated on the basis of that order, the respondent Nos. 1 and 2 may take

undue advantage of it and create third party rights in the property. It is on record that Regular Civil Suit No. 2 of 2019 is filed by the petitioner against several defendants including respondent Nos.1 and 2 and also the Sub-Divisional Officer and the Tahsildar. The petitioner may seek redressal of his grievance, if any, before the Civil Court.

In the facts of the case, I am not inclined to consider the prayer of the petitioner for grant of interim order. I see no reason to interfere with the impugned order.

The writ petition is **dismissed**. No costs.

The learned Additional Commissioner shall decide the revision application expeditiously and in any case till 30th April 2019.

JUDGE

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