

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.13109 OF 2019

Nathaji Changdev Babar

Since deceased through his legal heirs ... Petitioners

V/s.

Mukesh Ramchandra Shinde and ors. ... Respondents

Mr.Anant Vadgaonkar, Advocate for the Petitioner.

Mr.N.C.Walimbe, AGP for Respondent Nos.4 to 6.

**CORAM : UJJAL BHUYAN, J.
DATE : JANUARY 8, 2020.**

P.C.:-

1. Heard Mr.Anant Vadgaonkar, learned counsel for the petitioners; and Mr.N.C.Walimbe, learned AGP for respondent Nos.4 to 6.
2. Considering the short point involved in the writ petition, court is of the view that issuance of formal notice is not necessary as the writ petition can be disposed of at this stage itself.
3. Being aggrieved by order dated 25th March, 2013 passed by the Divisional Commissioner, Maharashtra Revenue Tribunal in a revision application filed by

respondent Nos.1, 2 and 3, petitioners had preferred a revision application before the Hon'ble Revenue Minister, Maharashtra on 13th February, 2017.

4. With the grievance that while revision application was not being taken up for consideration while at the same time respondent Nos. 1,2 and 3 were carrying on development activities over the land in question, the present writ petition came to be filed.

5. After hearing learned counsel for the parties and on due consideration, court is of the view that the revision application filed by the petitioners on 13th February, 2017 should be taken on board by the Hon'ble Revenue Minister, Maharashtra and thereafter, the same should be decided one way or the other in accordance with law within a period of three months from the date of receipt of an authenticated copy of this order.

6. Ordered accordingly.

7. It will also be open to the petitioners to move an application for stay before the Hon'ble Minister and if such an application is filed, that may be decided by the Hon'ble Minister in accordance with law. To enable the

party to move such application, *status-quo* as regards the land in question as on today be maintained for a period of two months from today.

8. It is made clear that no opinion is expressed on merit and all contentions are kept open.

9. Writ petition is disposed of.

(UJJAL BHUYAN, J.)

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