

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

WRIT PETITION NO. 287 OF 2020

Bhagwan Yashwant Patil & Anr. ..Petitioners
V/s.
Sou.Hema Subhash Patil & Ors. ..Respondents

Mr.V.A. Desai for the Petitioners.

Ms.M.S. Bane, AGP for the Respondent No.5-State.

CORAM : C.V. BHADANG, J.

DATE : 13th JANUARY 2020

PC.

1. Heard for some time.

2. The learned counsel for the petitioner seeks leave to add the State through Minister Revenue as a party respondent No.5 to the petition. Leave granted. Necessary addition to be carried out forthwith.

3. The learned Assistant Government Pleader waives service on behalf of the newly added respondent No.5. The learned counsel for the petitioner to serve a copy of the petition on the learned Assistant Government Pleader.

5. The petitioner is coming with a limited prayer in this petition. Admittedly a Revision Application filed by the petitioner challenging the order passed by the Commissioner, Pune Division, Pune is said to be pending before the Hon'ble Minister in which the petitioner has also filed an application for stay. The only grievance is that the revision is not yet heard and may be expedited.

6. The learned AGP on instructions states that the Revision Application shall be decided within a period of 12 weeks. The statement so made is accepted.

7. Inasmuch as there is no adverse order being passed against the private respondents, a notice to the private respondents may not be necessary. In the result the petition is allowed. The Revisional Authority shall decide the Revision Application as expeditiously as possible and preferably within a period of three months from the receipt hereof.

8. The learned counsel for the petitioner has requested for grant of interim relief for a limited period, which in facts and circumstances of the present case, in my considered view, cannot be granted. This is for the reason that although it is claimed that there

was a stay operating in the Appeal before the Divisional Commissioner, there is not even a statement made that there was any such stay operating. The impugned order is passed by the Commissioner on 21st June 2019. In such circumstances, the petition is disposed of in the aforesaid terms with the only direction that any change in the Mutation entry taken shall be subject to the outcome of the Revision Application before the Minster.

C.V. BHADANG, J.

**Nilam
Kamble**

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Nilam Kamble
Date: 2020.01.13
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