

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

WRIT PETITION NO.7560/2017

Prabhakar S/o Sheshrao Mapari and others
..V/s..
Smt. Sunita W/o Shankar Puri and others

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

Court's or Judge's orders

Shri Abhay Sambre, Advocate for the petitioners.
Shri S.D. Chande, Advocate for respondent Nos.1 and 2.
Shri A.M. Kadukar, A.G.P. for respondent No.5.

CORAM : RAVINDRA V. GHUGE, J.
DATED : 23.1.2020.

1] I have considered the extensive submissions of the learned Advocates for the respective sides and the learned A.G.P. on behalf of respondent No.5.

2] I have perused the impugned order passed by the Revisional Authority dated 14.8.2017 under Section 23(2) of the Mamlatdars' Courts Act, 1906.

3] Despite the strenuous submissions of Shri Chande, learned Advocate appearing on behalf of the original applicants under Section 5(2), I find that the Revisional Authority, in the three pages impugned order, has reproduced the contentions of the litigating sides in details and thereafter, in the last paragraph, has

proceeded to pass an order which is practically in telegraphic language. It has merely stated the application is allowed and has not stated as to what reliefs are granted to the original applicants.

4] Since I find it to be an unusual order and as the impugned order is bereft of reasons and sans conclusions supported with reasons, this petition is partly allowed. The impugned order dated 14.8.2017 is quashed and set aside and the proceedings रा.अ.प्र. क्र.एमसीअॅक्ट-५/लोणार/१३/२०१६-१७ are restored to the file of the Revisional Authority under the Mamlatdars' Courts Act, at Mehkar.

5] The learned Advocates for the litigating parties submits that a specific date for appearance may be granted and a time frame may be set as the litigation dates back to 2017.

6] In view of this request, the litigating parties shall appear before the Revisional Authority at Mehkar on 10.2.2020 at 3 p.m. They are at liberty to enter their written notes of submissions and take legal assistance as well. After the hearing is concluded, on or before 7.3.2020, the Revisional Authority shall proceed to deliver its reasoned order on 31.3.2020 at 3 p.m. The parties are obliged to remain present for the pronouncement of the order. Copies of the same will be kept ready and supplied to the parties on payment of requisite fees.

7] The *ad interim* protection granted by this Court on 24.1.2018 having been continued for two years would continue for 10 days after the pronouncement of the order merely to facilitate the aggrieved parties to approach this Court.

(RAVINDRA V. GHUGE, J.)

Tambaskar.