

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

78 WRIT PETITION NO.10137 OF 2021

**TAKDIS SALIM KOKANI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE PUBLIC
PROSECUTOR AND OTHERS**

...

**Advocate for Petitioners : Mr.A.S.Khandeparkar a/w Prerak A.
Sharma & Savale Amit S
AGP for Respondents: K.B.Jadhavar
Adv.Karpe Rahul R. for R/9**

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79 WRIT PETITION NO.10138 OF 2021

**TEHSEEN JILANI KOKANI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE PUBLIC
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**Advocate for Petitioners : Mr.A.S.Khandeparkar a/w Prerak A.
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**CORAM: MANGESH S PATIL,J.
DATE : 20.10.2021**

P.C.:

The learned advocate Mr.Karpe for the contesting respondents informs that the petitioners are impugning interlocutory orders passed by a Minister in substantive proceedings in the form of revisions under Section 257 of the

Maharashtra Land Revenue Code. The main proceedings i.e. the revisions itself have now been decided by the Minister by the judgments and orders dated 23/09/2021.

2] He also produces on record copies of the final order passed by the learned Minister. Those are taken on record and marked "X" for the purpose of identification. In view of such supervening events, the Writ Petitions are disposed of having become infructuous.

3] The learned advocate Mr.Khandeparkar submits that though not in these Writ Petitions, in the Writ Petitions filed by the respondent viz. Writ Petition No.7154/2021 and the connected Writ Petition, this Court by order dated 12/07/2021 had directed the learned Minister to decide the proceeding before him within a stipulated period and till then the parties were directed not to create any third party interest. He submits that even present decisions have been rendered *ex parte*, without there being any notice to or knowledge of the petitioners. He prays that he may have to now file extensive Writ Petitions impugning final orders as well, but that would take some time. Therefore the interim arrangement may be allowed to continue for a reasonable time.

4] The learned advocate Mr.Khandeparkar further submits that though no separate minutes were recorded in these Writ Petitions it was with the understanding that some kind of

interim relief was in operation pursuant to the order passed in the connected Writ Petitions filed by the respondent dated 12/7/2021, the arrangement can continue for a reasonable time.

5] The learned advocate Mr.Karpe strongly opposes the request. He submits that it is pursuant to the direction of this Court that the learned Minister has now decided the matters finally. No fault can be found with him. The decisions have not been rendered *ex parte*. The interim relief was granted in the Writ Petitions filed by the respondents and that has ceased to have any effect no sooner the substantive proceedings were decided by the learned Minister.

6] Having considered the rival submissions, since by virtue of the interim relief, may be that was granted in the Writ Petitions filed by the respondents, the parties were refrained from creating any third party interest till the time the learned Minister decided the matter.

7] Now that the final decisions have come and the petitioners may have to challenge those, the present Petitions having become infructuous, the same arrangement can continue till 22/11/2021. It is ordered accordingly.

[MANGESH S. PATIL,J.]