

Digitally
signed by
BASAVRAJ
GURAPPA
PATIL
Date:
2021.09.04
11:20:57
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2158/2021
IN
WRIT PETITION (ST) NO.99267/2020

Jeevan Bhikaji Bansode Applicant

BalakramBapu Kharade & Anr. Petitioners

Vs.

The Chief Secretary, GAD & Ors. Respondents

Mr. S. S. Panchpor, AGP for the Applicant - State
Mr. Y. G. Thorat I/b. A. B. Tajane for the Petitioner

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : SEPTEMBER 2, 2021

P.C.

1 Heard. By this Interim Application, the Applicant is seeking extension of time to comply with order dated 01.02.2021 passed by this court in Writ Petition (ST) NO.99267/2020.

2 The learned AGP for the Applicant submits that this court, by order dated 01.02.2021 had directed the Applicant to decide the Petitioner's Application dated 17.03.2020, as early as possible, but in any case within 8 weeks from the date of order. He submits that thereafter the hearing was conducted on 15.02.2021, 01.03.2021, 15.03.2021 and

22.03.2021. He submits that there are more than 29 gut numbers involved in the matter. He submits that he needs further time to comply with the order dated 01.02.2021. He relies on para 4 of the Interim Application, in support of their prayer. He submits that in the interest of justice, this Hon'ble Court be pleased to extend the time by six months to comply with the order dated 01.02.2021. Paragraph 4 of the application reads thus:

“4. The Applicant herein most respectfully states that in order to comply with the afore mentioned directions, I conducted hearing of all parties on 15.02.2021, 01.03.2021, 15.03.2021, 22.03.2021 and at the time of hearing the representative of Petitioner as well as Respondent namely Deshmukh was present. Respondent Deshmukh has filed nominal say on that date. I say that in the present matter the Petitioner has claimed inquiry u/s.35A of the Tenancy Act for the properties situated at Kamati Bk Taluka Mohol Dist. Solapur bearing Gat No.19, 25, 44, 130/B, 130/A/1 and 130/A/2. I say that in the present matter, more than 29 G.No.s are included and more than 38 persons are interested persons in the present matter. I say that considering the complications in the matter as well as considering the says of the Respondents and the interested persons in the matter the inquiry will not be completed six months from today.”

3 On the other hand, the learned counsel for the Petitioner submits that instead of granting six months' time, let the Applicant decide the Application dated 17.03.2020, as early as possible, but in any case, within 2 months from today.

4 Considering the submissions made by the learned AGP and the reasons disclosed in para 4 of the Interim Application, we are satisfied that the Applicant has made out a case for allowing the Interim Application.

5 Hence, the following order is passed:

a. The Applicant to comply with order dated 01.02.2021 passed by this court in Writ Petition (ST) No.99267/2013, on or before 23.12.2021.

b. Interim Application stands disposed of accordingly.

c. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)