

PMB

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2100 OF 2021**

Rajni Vilas Misal .. Petitioner
vs.
The State of Maharashtra and ors. .. Respondents

Mr. Arvind Dhanraj Aswani for the Petitioner.
Smt. M.S. Bane, AGP for the State-Respondent Nos.1 to 4.
Mr. Suresh M. Kamble for Respondent No.5.
Ms. Minal J. Chandnani I/b. Jaiwant Chandnani & Associates for
Respondent Nos.8 to 15.

CORAM : M.S.KARNIK, J.

DATE : AUGUST 4, 2021

P.C.:-

Heard learned counsel for the parties.

2. The Revision has filed before the competent authority by the Respondent Nos.8 to 15. This Court on 23.06.2021 had issued a notice for final disposal. This Court had stayed the impugned order dated 25.05.2021 passed by the Respondent No.3-Settlement Commissioner for the reasons mentioned therein. Learned counsel for the Respondent Nos.8 to 15 submits that there have been certain developments which have taken place regarding the construction of the property during the pendency of the Petition which have to be placed on record.

3. This Petition can be disposed of in terms of the interim order date 23.06.2021 passed by this Court. The impugned order is quashed and set aside. It is open for the Respondent Nos.8 to 15 to make appropriate application for interim reliefs before the Settlement Commissioner. If such an application is made, the same be considered on its own merits without being influenced by any observations made in this order or the order dated 25.05.2021 passed by the Respondent No.3.

4. It is basically the contention of learned counsel for the Petitioner that the impugned order was passed without hearing the Petitioner. The Petitioner is the purchaser of the suit property. Petitioner as well as Respondent Nos.8 to 15 (Original Applicants before Respondent No.3) undertake to appear before the Revisional Authority on 13.08.2021 at 12.00 noon. The Respondent No.3 is requested to expedite the hearing of the Revision and decide the same as early as possible preferably within a period of three weeks from 13.08.2021.

5. The Writ Petition is disposed of.

(M.S. KARNIK, J.)

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