

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3408 OF 2021**

Hirabai Damu Kambri & Ors.

... Petitioners

Versus

State of Maharashtra and Ors.

... Respondents

Mr. Shekhar Jagtap with Mr. Sairuchita Chowdhary, Mr. Ninad Naik, Ms. Reha Francis i/by J. Shekhar and Co., for Petitioner.

Mrs. S.D.Vyas, 'B' Panel Counsel, for State.

Mr. Shreepad Murthy i/by Mr. Abhishek Patil for Respondent Nos.4 and 5.

**CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : 7th OCTOBER, 2021

P.C. :

1. By the above Writ Petition, the Petitioners interalia seeks the following reliefs :

- “(a) The Hon’ble Court may kindly call for records and proceedings;
(b) The Hon’ble Court may kindly issue writ of certiorari and/or any other appropriate writ and/or directions and/or order and thereby quash and set aside the impugned order passed by Respondent No.2 in the Revision Application No.02 of 2020 in respect of Survey No.33/6/C of Village Bardi, Taluka Karjat, District Raigad passed by Respondent No.2;
(c) The Hon’ble Court may kindly issue writ of certiorari and/or any other appropriate writ and/or directions and/or order thereby quash and set aside the Mutation Entry No.843 in respect of Survey No.33/6/C of Village Bardi Taluka Karjat District Raigad;”

2. Admittedly the Petitioners have filed a statutory appeal before the Tahasildar, Karjat, which is scheduled for hearing on 14th October, 2021. The Tahasildar, Karjat, shall hear the parties and/or their Advocates on 14th October, 2021 and pass his orders strictly on merits. In the event of the matter being adjourned by the Tahasildar, Karjat, on 14th October, 2021, the Advocate for the Petitioners shall be at liberty to make an application seeking ad-interim/interim relief and the Tahasildar, Karjat, shall after hearing the parties dispose off the same. All contentions of the parties are kept open.

3. The learned Advocate appearing for Respondent Nos.4 and 5 states that until the Application seeking ad-interim / interim reliefs filed by the Petitioner is decided by the Tahasildar, Karjat, Respondent Nos. 4 and 5 shall not create any third party rights in respect of the subject lands. The statement is accepted.

4. The Writ Petition is accordingly disposed of.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)