

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 213 OF 2021
WITH
INTERIM APPLICATION NO. 2063 OF 2021**

Ifran Imamuddin Suse ... Appellant

V/s.

State of Maharashtra

Through Collector, Palghar & Ors. ... Respondents

Mr.K.S. Dewal i/b. Mr.J.M.Joshi for Appellant.

Mr.A.R. Patil, A.G.P for Respondents-State.

CORAM : A.S. GADKARI, J.

DATE : 30th August 2021.

PC. :

1. Mr.Dewal, learned counsel appearing for the Appellant submitted that, after the impugned Order dated 30th June 2021 below Exh.5 was passed by the Trial Court, the Appellant has filed its reply dated 7th July 2021 to the notice dated 9th April 2021.

2. Mr.Patil, learned A.G.P submitted that, as a matter of fact, the Suit challenging the said notice dated 9th April 2021 itself is not maintainable.

3. May that as it may.

As the Appellant has now filed reply to the notice dated 9th April 2021, the present Appeal as of today does not survive.

4. In view thereof, the Tahsildar, Wada, District Palghar is directed to consider the reply filed by the Appellant and pass appropriate Orders thereon as per the provisions of law, within a period of four weeks from the date of receipt of the present Order.

5. Till the Tahsildar, Wada, District Palghar (Respondent No.2) decides the representation/reply filed by the Appellant as has been directed hereinabove and passes an Order thereon, the Order of status-quo granted by the Trial Court dated 30th June 2021 to remain in operation.

6. Appeal is disposed off in the aforesaid terms.

7. In view of disposal of Appeal, Interim Application No. 2063 of 2021 does not survive and is accordingly disposed off.

[A.S. GADKARI, J.]

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