

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO1899/2020
Rupkumar Ratanlal Dajjuka

..VS..

Sub Divisional Officer, Murtizapur, Taluka Murtizapur, District Akola and
ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri Aadil Mirza, Counsel for the Petitioner.
Mrs.R.S.Sirpurkar, Counsel for Respondent No.2.
Mrs.Mrunal Barabde, AGP for Respondent Nos.1 and 3.

CORAM : V.M.DESHPANDE J.
DATED : JANUARY 15, 2021.

1. This writ petition is filed against order passed by the Sub Divisional Officer, Murtizapur in proceedings bearing Revenue Case No.LND-25/Murtizapur/1/2019-20 against the petitioner.

2. On 20.7.2020, Notices on this writ petition were issued. In pursuance to Notices, respondent No.2 appeared through his counsel Mrs.R.S.Sirpurkar. Respondent Nos.1 and 3 are represented by learned Assistant Government Pleader Mrs.Mrunal Barabde.

3. At the outset, learned counsel Mrs.R.S.Sirpurkar for respondent No.2 pointed out that order challenged in this writ petition is appealable order and an appeal has to be decided by the Collector. The said aspect is not at all challenged by learned counsel Shri Aadil

.....2/-

Mirza for the petitioner.

4. In this view of the matter, this writ petition is disposed of with liberty to the petitioner to file a statutory appeal before the Collector. If the appeal is filed before the Collector within a period of ten days from today, *interim* order granted by this Court on 20.7.2020 shall remain in operation, till 7.2.2021. If the appeal is not filed within the stipulated period, the *interim* order shall stand automatically vacated. In the meanwhile, the petitioner can pray for *interim* relief before the Collector and the Collector shall decide the appeal in accordance with law giving opportunity of hearing to both parties.

JUDGE

!! BRW !!

...../-