

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

WRIT PETITION NO.3622/2020

Hematai w/o Chinnana Chalurkar,
aged 36 years, Occ. Agriculturist,
r/o Nagepalli, Tq. Aheri,
Dist. Gadchiroli

.....PETITIONER

...V E R S U S...

1. Divisional Commissioner,
Nagpur Division, Nagpur,
Civil Lines, Nagpur.
2. Additional Collector, Aheri,
Dist. Gadchiroli.
3. The Thasildar,
Tq. Aheri, Dist. Gadchiroli.
4. Sub Divisional officer,
Tah. Aheri, dist. Gadchiroli

...RESPONDENTS

Mr. A. R. Fule, Advocate for petitioner.
Mr. K. L. Dharmadhikari, A.G.P. for respondents.

CORAM:- V. M. DESHPANDE, J.
DATED :- 10.02.2021.

ORAL JUDGMENT

1. Rule. Rule is made returnable forthwith. Heard finally
by consent of learned counsel for the parties. Heard Mr. Fule,
learned counsel for petitioner and Mr. K. L. Dharmadhikari, A.G.P.
for respondent nos.1 to 4.

2. Though reply of the respondents is not there, this writ petition can be disposed of looking to the fact that the appeal filed on behalf of the petitioner is still pending on the file of Additional Commissioner, Nagpur Division, Nagpur.

3. The petitioner has filed appeal No.130/LND-30/2020, mouja Yenkapalli before Divisional Commissioner, Nagpur Division, Nagpur challenging order passed by Additional Collector, Nagpur, Aheri dated 23.11.2020. Along with the memo of appeal, he has filed an application for stay. The said application is rejected by respondent no.1 by order dated 11.02.2020.

4. Being aggrieved by the said, the petitioner approached this Court and this Court (Coram: Manish Pitale, J.) on 22.12.2020, while issuing notice, observed that there shall be an interim stay to the order dated 23.11.2020 passed by respondent no.2-Additional Collector.

5. Since, appeal filed by petitioner is still pending before learned Divisional Commissioner, Nagpur and it is stated by learned counsel for the petitioner that the next date fixed is

09.03.2021, this writ petition can be disposed of in the following terms.

6. The writ petition is disposed with a direction to respondent no.1 to decide the appeal within a period of two months from 09.03.2021.

Till the appeal is decided on its own merits by Divisional Commissioner, Nagpur Division, Nagpur, ad interim stay granted by this Court on 22.12.2020 shall remain in operation.

Rule accordingly. No order as to costs.

JUDGE

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