

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

67 WRIT PETITION NO.8431 OF 2022

DADA DHONDIBA ADDHANE THROUGH ITS GENERAL POWER OF
ATTORNEY HOLDER RAMESH SURYABHAN SHEJUL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

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Advocate for Petitioner : Mr. Palodkar Devdatt P.
AGP for Respondents/State : Mr. K.B. Jadhavar
Advocate for Respondents : Mr. S.S. Gangakhedkar h/f. Yogesh D. Kale

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CORAM : M.G. SEWLIKAR, J.
DATE : 17th August, 2022

PC:-

Heard.

2. Learned counsel for the petitioner Shri Palodkar submits that the grand father of the petitioner was a tenant of writ property gut no.12 at measuring 8 acre 12 guntha situated at Rajura, Tq. Vaijapur, District Aurangabad. The petitioner became owner and possessor of suit property by following due procedure of law. The writ property was declared as surplus land by the Collector, Aurangabad under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act. This order was challenged by the petitioner before the learned M.R.T. by way of an appeal. This appeal came to be dismissed by

the learned M.R.T. This order was challenged before this Court by preferring Writ Petition No.1618/2002 which was also dismissed. Review of this order was preferred and is pending before this Court.

3. It is further submitted that petitioner had also filed review petition before the learned M.R.T. challenging the order dated 27th December, 2001 to condone the delay application. The delay came to be condoned and the learned M.R.T. passed the stay order. Despite this the learned Collector independently took up this matter holding that the learned M.R.T. had passed the said order which is in contravention with the order passed by the Hon'ble Supreme Court and Division Bench of this Court. Without going into the merits of the matter, it will be in the fitness of things if the learned M.R.T. is directed to dispose of the review petition bearing no.9/C/2002 within a specified period.

4. In view of the above, the learned M.R.T. is directed to dispose of this review petition no.9/C/2002 within a period of three months. All the contentions between the parties are kept open. It is made clear that no observations on merits are made by this Court. Till the disposal of the review petition the order passed by the Collector dated 7th July, 2022 and consequent order passed by the S.D.O. dated 13th July, 2022 shall stand stayed. Parties to appear before the learned M.R.T. on 23rd August, 2022. Parties to act on an

authenticated copy of this order. Learned AGP undertakes to inform the Collector about this order.

5. Writ Petition is disposed of. No costs.

[M.G. SEWLIKAR, J.]