

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

96 WRIT PETITION NO.9411 OF 2022

SUDAM BAJIRAO DHAWLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...
Advocate for Petitioners : Mr. Naik Thigle Girish K.
AGP for Respondent Nos.1 to 4-State : Mr. P. K. Lakhotiya
...

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 21st September, 2022

PER COURT :

1. The petitioner has put forth prayer Clause 'B' as under :-

(B) Rule may be made absolute and by issue of writ, or order or direction in the like nature, to direct respondent authority No.1 to take decision on the revision/petition dated 03-08-2021 within stipulated time frame and in the meantime the implementation, execution and operation of the final order dated 27-07-2021 passed by the Additional Divisional Commissioner, Aurangabad in Revision Petition No.326/2019 proceedings bearing No.2019/Appeal/CR-72 may kindly be stayed.

2. Grievance is that after the petitioner succeeded in Regular Civil Suit No.163 of 2014, which was dismissed by Judgment dated

01/01/2019 with a conclusion that the property at issue is the petitioners' self acquired property, a fresh round of litigation has commenced and has reached the office of the Hon'ble Minister Revenue and Forest Department. It is prayed that the revision petition mentioned in the prayers, be decided within a specific period and the interim application filed by the petitioner be decided before the Diwali vacation.

3. The learned AGP representing respondent Nos.1, 2, 3 and 4 submits that the stay application can be decided after hearing all the parties, prior to the Diwali Vacation.

4. Considering the above, we are disposing off this petition without issuing notice to respondent Nos.5 and 6.

5. Let the interim application filed by the petitioners be considered by respondent No.1 after giving opportunity of hearing to all the litigating parties and in the light of the Judgment delivered by the Civil Court dated 01/01/2019, on or before 21/10/2022. Thereafter, the pending revision may be decided, on or before 31/01/2023.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.