

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10953 OF 2022
(Raju Fulchand Rathod and others Vs. The Revenue Minister, State of
Maharashtra and others)

Mr.C.V.Bodkhe, Advocate for the petitioners.
Mr.P.K.Lakhotiya, AGP for the respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : OCTOBER 20, 2022

PER COURT :

1. These petitioners are aggrieved by a notice dated 10.10.2022 issued by respondent No.6 / Circle Officer, Kannad. The petitioners are before respondent No.1 by preferring an appeal u/s 258 of the MLR Code, dated 01.12.2021. The said appeal is not even registered. After completing the formality of filing the appeal, these petitioners concede that they have not even visited the office of respondent No.1 and did not press their application for stay.

2. The Law does not help a sleeping litigant. Since the petitioners did not prosecute their appeal, the Circle Officer issued notice dated 10.10.2022 for executing the order of the District Collector dated

16.08.2018 and the order of the Additional Divisional Commissioner dated 04.06.2019. The petitioners have a remedy of assailing the order dated 10.10.2022 under the MLR Code.

3. In view of the above, this petition is disposed off. However, if the petitioners approach respondent No.1 and seek a decision on the application for stay, which has been merely lying in the office of respondent No.1, the said authority would endeavour to decide the said application after issuing notices to all the parties, as expeditiously as possible and preferably, on or before 30.12.2022.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)