

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

WRIT PETITION NO.11394 OF 2022

**SATISH RAMDAS TARKASE AND ANOTHER
VERSUS
THE SUB DIVISIONAL OFFICER AND OTHERS**

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Mr. Abhijit B. Kale, Advocate for the Petitioners.
Mr. K. N. Lokhande, AGP for Respondents-State.
Mr. V. S. Janephalkar, Advocate for Respondent
Nos.3 to 9.

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CORAM : SANDEEP V. MARNE, J.

DATED : 17th NOVEMBER, 2022.

PER COURT:-

1. The Tahsildar has passed order dated 19.08.2022 thereby allowing the application filed by respondent no.3 to 12 under Section 5(2) of the Mamlatdars' Courts Act, 1906. The petitioners have been directed to remove the obstruction on the access road. They have preferred Revision before the Sub Divisional Officer which is pending. In the pending Revision the petitioners moved an application for stay of the order of Tahsildar, which has been rejected by the S.D.O. by order dated 14.10.2022.

2. The present writ petition is filed challenging the order of the S.D.O. dated 14.10.2022 rejecting the stay. Simultaneously with filing of the present petition on 15.11.2022, it appears that petitioners file one more application

for stay before the S.D.O. on 15.11.2022 which has also been rejected on 16.11.2022. The Appeal is coming up for hearing before the S.D.O. on 06.12.2022.

3. In the light of the aforesaid position emerging before me, the present petition can conveniently be disposed of by directing the S.D.O. to hear and decide the Revision of the petition on 06.12.2022. Both the parties shall remain present before the S.D.O. for hearing on 06.12.2022 and shall not seek any adjournment.

4. Till decision of Revision, notice dated 02.11.2022 of Circle Officer, Rahata for implementation of order of Tahsildar, Rahata shall remained stayed.

5. With the aforesaid directions, writ petition is disposed of. No costs.

(SANDEEP V. MARNE)
JUDGE