

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2428 OF 2022****Bhausahab Nana Kedare and another ... Petitioners****Versus****Damu Dagdu Kedare through Legal Heirs and others ... Respondents****.....****Mr. Bhushan Deshmukh for the Petitioners.****Ms. Neha Bhide, 'B' Panel Counsel for the State.****.....****CORAM : S.J. KATHAWALLA AND****MILIND N. JADHAV, JJ.****DATED : MARCH 8, 2022****P.C. :-**

1. Heard the Learned Advocates appearing for the parties. By the above Writ Petition, the Petitioners have impugned the Order passed by the District Superintendent, City Survey dated 29th October, 2021 passed in Appeal No.369 of 2019 condoning the delay of 49 years in filing the Appeal. The Petitioners have impugned the said Order dated 29th October, 2021 by filing Revision Application being No.468 of 2021 before the Revenue Minister, Mantralaya, Mumbai. The said Revision Application is pending hearing before the Revenue Minister. In the meantime, the District Superintendent, City Survey has kept the Appeal No.369 of 2019 for hearing on 15th March, 2022. It is submitted on behalf of the Petitioner that the Revision

Application filed by him shall become infructuous in the event of the District Superintendent, City Survey proceeding with the hearing of the Appeal No.369 of 2019. In view thereof, we pass the following order.

- (i) The Revenue Minister shall after hearing the concerned parties in the Revision Application No.468 of 2021, pass a speaking order within a period of four weeks from today.
- (ii) Pending the decision of the Revenue Minister in Revision Application No.468 of 2021, the District Superintendent, City Survey shall not proceed with the hearing in Appeal No.369 of 2019.
- (iii) The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)

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PRASHANT
DHURI

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