

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION 5848 OF 2021

Rajaram Bapu Patil, since deceased
through his Legal Heirs ... Petitioner.

V/s.

State of Maharashtra, through
District Collector Sangli & Tahasildar,
Tasgaon & Ors. ... Respondents.

Mr. Pramod G. **Kathane**, Advocate for the Petitioner.
Mr. G. B. Pawar, Advocate for Respondent 3.
Mr. A. P. Vanarse, AGP for the State - Respondents 1 and 2.

CORAM : ROHIT B.DEO, J.

DATE : JULY 22, 2022

PC :

1. On the basis of the instructions received, the learned counsel for the petitioner states that Regular Civil Suit 7 of 2018 shall be withdrawn, provided liberty is reserved to prosecute application dated 23.11.2017 filed before the learned Tahasildar, Tasgaon in Watap/S.R. 420/**2007**, which is pending.

2. In view of the statement that Regular Civil Suit 7 of 2018 shall be withdrawn, nothing survives in this petition.

3. The petitioner is at liberty to prosecute the application dated 23.11.2017, referred supra, and this court expects the Tahasildar, Tasgaon, to decide the said application after hearing all the stake holders i.e. the parties to the litigation, within three months.

4. It is recorded that there is no dispute that the possession of the share of respondent 3 is already delivered to him by the Tahasildar, Tasgaon.

5. Petition is disposed of.

(ROHIT B. DEO, J.)

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(Note : This order is corrected as per speaking to minutes order dated 27.07.2022 and uploaded accordingly).