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

WRIT PETITION NO. 5523 OF 2022

Kiran Shantaram Bhosale and Anr.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Kishore Patil i/b. Mr. Shailesh Chavan for the Petitioners

Ms. A.A. Pawar, AGP for the Respondent - State

***CORAM : S.V. GANGAPURWALA &
M.G. SEWLIKAR, JJ.***

DATE : 4 MAY 2022

P.C. :-

We have heard the learned Counsel for the Petitioners and the learned AGP.

2. The learned Counsel for the Petitioners fairly submits that the Petitioners have also filed an appeal before the Collector challenging the order of the Sub-Divisional Officer.

3. In view of that, as the appeal is already pending, it is not appropriate to consider the Petition on its own merits and in accordance with law.

4. Considering that the appeal is pending, we direct the Collector to decide the appeal expeditiously after hearing all parties concerned and if possible, preferably within six months. All contentions of the parties are kept open.

5. The learned Counsel submits that the Circle Officer has submitted a report. The same may be considered by the Collector. It is for the Petitioners to place on record all the necessary documents which certainly the Collector would consider while passing the order.

6. Writ Petition is disposed of. No costs.

(M.G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)

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