

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10489 OF 2022

Chhaban Tukaram Taware

Thr. COA Nitin Chhaban Taware

...Petitioner

Versus

Ashok Jivraj Taware

Since Dece. Thr. Lrs. & Ors.

...Respondents

NILAM
SANTOSH
KAMBLE

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Date: 2022.12.01
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Mr.Prashant P. More a/w Ms.Kanchan S. Chindarkar, for the
Petitioner.

Ms.K. N. Solunke, AGP, for Respondent Nos.2 to 7-State.

CORAM : R.D. DHANUKA &
S.G. DIGE, JJ.

DATE : 28 NOVEMBER 2022

P.C:-

. Rule. Mrs. Solunke, learned AGP waives service for
all the respondents. Rule is made returnable forthwith.

2. By this petition filed under Article 226 of the
Constitution of India, the petitioner seeks direction against the
Appellate Authority i.e. the learned Divisional Commissioner to
decide the Revision Application bearing
No.RTS/REV/PUNE/415/2017 expeditiously.

3. The learned counsel for the Petitioner states that the said Revision Application is pending since 2018 before the Divisional Commissioner. The authority below has proposed to execute the order passed by the Divisional Commissioner, which is impugned in the Revision Application which is pending for more than 3 years. The statement is accepted.

4. We direct the learned Additional Divisional Commissioner to decide the said Application along with Application for stay within a period six weeks from today without fail, after granting opportunity of hearing to the Petitioner. It is made clear that no further extension of time would be granted.

5. The order passed by the Divisional Commissioner shall be communicated to the Petitioner within one week from the date of passing of such order. The Divisional Commissioner shall allow the consequential reliefs as permissible in law within four weeks thereafter. The Petitioner is at liberty to file appropriate proceedings as permissible in law, if the order is adverse against the Petitioner.

6. The Writ Petition is disposed of in the aforesaid terms.

7. Rule is made absolute in the aforesaid terms.

8. It is made clear that this Court has not expressed any views on merits of the matter. All contentions of all parties are kept open.

(S.G. DIGE, J.)

(R.D. DHANUKA, J.)