

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

WRIT PETITION NO. 14375 OF 2022

Rajendra Nathu Sonawane

....Petitioner

Versus

State of Maharashtra and Ors.

....Respondents

Mr. Aditya Shirke a/w Mr. S.R. Patne for the Petitioner.

Mrs. Rupali M. Shinde, AGP for Respondent Nos 1 and 3 to
7- State.

Mr. R.B. Huded i/b Mr. S.B. Kale for the Respondent No.2.

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

DATE : 28th NOVEMBER, 2022.

P.C. :

1. By this writ petition filed under Article 226 of the Constitution of India, the petitioner seeks writ of mandamus against the Respondent No.1 to cancel and/or recall the Mutation Entry No. 3353 effected against the petitioner and in favour of Respondent no.2. The petitioner also seeks writ of mandamus against Respondent No.1 to decide the revision application No. 391 of 2022 filed by the petitioner

along with the interim application for stay expeditiously.

2. Mrs. Shinde, learned AGP for the State pointed out that the revision application is filed by the petitioner on 13th October 2022 and has immediately filed this writ petition for expeditious hearing of the said revision application.

3. The apprehension of the petitioner is that by relying upon the order passed by the authority which is the subject matter of the present writ petition, the Respondent No.2 may create third party rights.

4. We cannot direct the Respondent No.1 to decide the said revision application within a span of one month of such filing revision application. If the petitioner wants to protect the subject property from Respondent No.2, the petitioner can apply for stay before the Revisional Authority. No case is made out for expeditious hearing of the revision application filed by the petitioner before Respondent No. 2. The petition is accordingly dismissed. No order as to costs.

5. It is made clear that this Court has not expressed any views on the merits of the revision application filed by the petitioner which is pending before Respondent No. 1 or

any other proceedings that would be filed by the petitioners. All the contentions of both parties are kept open.

(S. G. DIGE, J.)

(R. D. DHANUKA J.)