

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4207 OF 2020

Indubai Rama Shirsath Through
Lrs Sushilabai Prabhakar More And Others ...Petitioners

Versus

Dharma Bhunga Borse Through Lrs
Lilabai Dharma Borse And Others ...Respondents

Mr. M.V. Bhamre, Advocate for the petitioner.
Mrs. G.L. Deshpande, AGP for State.
Mr. M.B. Sandanshiv, Advocate for respondents No. 1A to 1D and
2.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 17th MARCH, 2023

ORDER :

1. By this petition filed under Article 226 and 227 of the Constitution of India, the petitioners challenge the order passed below Exhibit-1 in Regular Darkhast No. 19/2017, passed by learned Civil Judge, Senior Division, Sindkheda.

2. During the course of hearing, learned Assistant Government Pleader has tendered a communication dated 28.02.2023, issued by the Desk Officer, Revenue and Forest Department, Mantralaya, by which it is informed to the learned

Assistant Government Pleader that the proceeding of RTS Revision No.117/2017 pending between the petitioners and the respondent before the Hon'ble Minister, shall be decided within three months.

3. Learned advocate for the petitioners makes a grievance that during the pendency of revision before the Hon'ble Minister, respondents have moved execution proceeding and they are proceeding with the same. If the decree is executed the petitioners will suffer irreparable loss and hardships.

4. On this, learned advocate for the respondents on instructions submits that the respondents shall not insist for execution till the Hon'ble Minister decides the revision.

5. By recording said statement as undertaking to this Court, the writ petition is disposed of by keeping the challenge raised in the petition and rival contentions of respective parties open.

[NITIN B. SURYAWANSHI, J.]