

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 1722 OF 2021**

Masood Khan Rauf Khan

.. Petitioner

Versus

Vithal Sambhaji Hardafkar and others

.. Respondents

Mr. G. R. Syed, Advocate for the Petitioner.

Mr. S. G. Rudrawar, Advocate for Respondent Nos. 1 to 4.

Smt. D. S. Jape, AGP for Respondent No. 6.

**CORAM : KISHORE C. SANT, J.**

**DATED : 27<sup>th</sup> JUNE, 2023.**

**P C. :-**

. This petition is filed challenging the order passed by the S.D.O., Hadgaon dated 14.08.2018 thereby rejecting the revision application filed by the petitioner challenging the order passed by the Tahsildar dated 01.09.2017 directing to give way to the respondent Nos. 1 to 5.

2. At the outset, learned advocate for the petitioner submits that, there is also a suit pending bearing RCS No. 29/2016 before the learned C.J.J.D., Himayatnagar wherein, respondent Nos. 1 to 4 are parties. Though respondent No. 5 is not a party in the suit, however, the order is already passed in his favour. His rights will not be affected even by outcome of the said suit.

3. Mr. Rudrawar, learned advocate for respondent Nos. 1 to 4 also accepts this position.

4. This Court finds that, this petition can be disposed off conveniently since the parties are already before the Civil Court.

5. In view of the same, the writ petition stands disposed off.

6. Needless to say that, the rights of the parties are subject to outcome of RCS No. 29/2016 pending in the Court of learned C.J.J.D., Himayatnagar.

( KISHORE C. SANT, J. )

PS.B.