

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

WRIT PETITION NO. 4381 OF 2023

Ganesh Raosaheb Raut

.. Petitioner

Versus

The Additional Commissioner and others

.. Respondents

Mr. Avinash A. Khande, Advocate for the Petitioner.

Mr. K. N. Lokhande, AGP for Respondent Nos. 1 to 4.

Mr. D. P. Palodkar, Advocate for Respondent Nos. 5-1-1 to 5-1-4 and 6-1 to 6-8.

Mr. Anant U. Deshmukh, Advocate for Respondent Nos. 5-2-1, 5-2-2, 5-2-3, 5-2-4, 5-2-5.

CORAM : KISHORE C. SANT, J.

DATED : 06th JUNE, 2023.

P. C. :-

. Mr. Palodkar, learned advocate submits that, he has received instructions to appear for all the legal heirs of respondent Nos. 5 and 6.

2. Mr. Deshmukh, learned advocate appears for respondent Nos. 5-2-1, 5-2-2, 5-2-3, 5-2-4, 5-2-5.

3. It is reported that, respondent No. 7 is dead. Learned A.G.P. represents respondent Nos. 1 to 4. Thus, the petition can be conveniently taken up for hearing.

4. The limited grievance in the petition is that the petitioner has filed an appeal bearing Revision Application No. 2023/ROR/REV/CR/82 before the Additional Commissioner, Aurangabad challenging the judgment and order passed by the Collector. In the revision application he had filed an application seeking stay to the order passed by the Collector. The application seeking stay came to be rejected by the revisional Court. Therefore, the petitioner has prayed for stay to the order impugned before the Additional Commissioner.

5. The parties are before the Collector in appeal No. 2022/Appeal/MLRC/CR/201. This Court while issuing notice by order dated 18.04.2023 has already directed the parties to maintain status quo. This petition therefore can be disposed off with a direction to the Collector to decide the appeal No. 2022/Appeal/MLRC/CR/201 within a period of three (03) months from today.

6. Status quo be maintained till the appeal is decided by the Collector.

7. The writ petition is thus disposed off in the above said terms.

8. Needless to say that, every action taken in between and the rights of the parties are subject to outcome of the appeal pending before the Collector.

(KISHORE C. SANT, J.)

P.S.B.