

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

CIVIL APPLICATION NO.7279 OF 2023
IN
REVIEW APPLICATION NO.246 OF 2022
IN
WRIT PETITION NO.2111 OF 2022
WITH
CIVIL APPLICATION NO.6191 OF 2023
IN
REVIEW APPLICATION NO.246 OF 2022

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS
VERSUS
GOVIND RAMLING SOLPURE AND OTHERS

...
Government Pleader for the Applicants/State : Shri D.R. Kale
Advocate for the Respondents/ Orig. Petitioners : Shri R.F. Totla
...

**CORAM : RAVINDRA V. GHUGE
&
S. G. MEHARE, JJ.**

DATE :- 05th July, 2023

Per Court :-

1. This Civil Application has been moved by the State of Maharashtra along with the Inspector General of Registration and Controller of Stamps, Pune, the Inspector of Stamp Duty, Aurangabad and other State authorities, for seeking extension of the interim order passed in Writ Petition No.2111/2022.

2. The learned Government Pleader submits that

though an extension of eight weeks has been sought by preferring the Civil Application on 09.06.2023, the State now prays for only two weeks time. It is submitted that after Review Application No.246/2022 filed by the State was rejected by this Court vide order judgment dated 13.04.2023, this Court had granted four weeks time to the State to approach the Honourable Supreme Court. On 12.05.2023, the State lodged it's Special Leave Petition before the Honourable Supreme Court. At the same time, Civil Application No.6191/2023 was preferred by the State before the learned Vacation Court at Aurangabad and on 12.05.2023, the learned Vacation Court granted four weeks extension of the earlier order, by way of a last chance. The learned Government Pleader submits that the Standing Counsel for the State of Maharashtra is making every effort to have the matter circulated before the Honourable Supreme Court.

3. The learned Advocate representing the original Petitioners submits that the Writ Petition was allowed by this Court on 05.05.2022 in terms of prayer clause C and certain directions were issued. When the Review Petition preferred by the State was dismissed by this Court on 13.04.2023, the earlier order was continued "*for a period of four weeks only*". He

submits that despite this Court having recorded that only four weeks are being granted, the Applicant State was granted one more extension by the Vacation Court vide order dated 12.05.2023. He further submits that after the Special Leave Petition was filed on 12.05.2023, the Honourable Supreme Court was regularly functioning till 19.05.2023. It does not appear that the State sought a circulation in this period. Even in vacation, the Honourable Supreme court was taking up urgent matters. Yet, the State did not circulate the matter. After the vacation from 22.05.2023 till 30.06.2023, the Honourable Supreme Court has reopened on 03.07.2023. He, therefore, submits that the State has sought extensions twice and at this juncture, no further extension deserves to be granted in view of the conduct of the State.

4. We quite see that the submissions of the learned Advocate for the original Petitioners are well placed. Earlier this Court, while hearing the Review Application, had granted an ad-interim order on 20.10.2022. That was continued for four weeks after the Review Application was rejected on 13.04.2023. Again this Court granted an extension of four weeks on 12.05.2023. In these circumstances, entertaining a prayer as set out in the Civil Application for continuing the protection for eight weeks, is too

much for the asking. At the same time, we find that if the protection granted to the State by way of interim orders is continued for almost eight months, the State could be protected for further period of two weeks on the condition that the State would make a statement before us that, they will not file a Civil Application or motion for continuation of the said interim order.

5. The learned Government Pleader submits, on instructions, that the State will not file any application or motion before this Court for seeking further extension of the interim order.

6. With the above statement having been recorded, we are extending the effect of the interim order dated 20.10.2022 upto 17.07.2023. Needless to state, the Applicant/ State would now be restrained from filing any further application for extension of interim relief.

7. The Civil Application is, accordingly, disposed off.

8. The pending Civil Application would not survive and stands disposed off.