

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

1 WRIT PETITION NO.7676 OF 2023
WITH CA/9660/2023 IN WP/7676/2023

**BHASKAR JAGANNATH GADEKAR
VERSUS
THE RESIDENT DEPUTY COLLECTOR AND OTHERS**

...
Advocate for Petitioner :Mr. D.P. Palodkar h/f. Mr. G.N. Kulkarni (Mardikar)
AGP for Respondents 1 to 3 : Mr. K.N. Lokhande
Advocate for Respondent/intervenor : Mr. M.R. Sonavane
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 06/11/2023**

PER COURT :

1. This Court by order dated 15.2.2023 in Writ Petition No. 1699/2023 permitted the petitioner therein to withdraw the petition with liberty to avail the appropriate remedy to challenge the impugned order in that writ petition, which relates to the warrant issued by the Rent Controller/Executing Court in the rent control proceedings. In pursuance of the order passed by this Court in above writ petition, objection application is filed by the petitioner before the rent control authority, which is received by the executing court, but is not yet numbered. Thereafter, further warrants are issued in execution proceedings by the Rent Controller/Executing Court.

2. The learned counsel for the petitioner herein submits that his objection application is not decided by the Rent Controller and further warrant is issued, hence, the petitioner is constrained to file the present writ petition.

3. The learned counsel appearing for the intervenor submits that although Kanta Sadashiv Dahat is shown as party, the present intervenor

Rachna Santosh Madrewar is not shown as her representative and in the event, she is shown as party, he could have objected in the above writ petition.

4. The learned counsel for the petitioner submits that inadvertently Rachna Madrewar is not shown as representative of Kanta Dahat and he would pay cost of Rs.1000/- to the Library of High Court Bar Association, Aurangabad for the inconvenience caused.

5. In view of the submissions made above, I deem it appropriate to direct the Rent Controller/Executing Court to decide the proceedings at page Nos. 54 and 67 of this petition within a period of four weeks. Interim stay is granted to the impugned order passed by the Rent Controller for the period of four weeks. The writ petition is disposed of accordingly. All civil applications are disposed of. All points/contentions are kept open.

[ARUN R. PEDNEKER J.]

ssc/