

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 1127 OF 2023

Sanjay Jayram Bhikule & Ors.

..Petitioners.

Versus

Dattatray Sudam Kadbhane & Ors.

..Respondents

Mr. Kalpesh U. Patil i/b. Pratik B. Rahade for Petitioners.
Smt. Nimbalkar, A.G.P. for Respondent Nos.4 & 5.

CORAM : SARANG V. KOTWAL, J.

DATE : 21 APRIL 2023

PC :

1. In this petition, the Petitioners challenge the order dated 10/10/2022 passed by the Hon'ble Minister for Revenue in EKATRI-3022/943/PR.KR.307/J-6. By the impugned order, the Hon'ble Minister had rejected the Petitioners' application for staying the order dated 20/12/2019 passed by the District Inspector of Land Records in Appeal No.373/Niphad/2019.

2. It is the contention of learned counsel for the Petitioners that the D.I.L.R. condoned the delay of 38 years and entertained the application of the Respondents. The order of condoning the delay is objected by way of revision before the Hon'ble Minister.

The stay application was rejected by the impugned order. He submitted that the main challenge to the order of condonation of delay is still pending before the Hon'ble Minister by way of the revision application. If in the meantime, the proceedings are heard further by the D.I.L.R., the Revision application will become infructuous.

3. I have considered these submissions. The impugned order is passed by the Hon'ble Minister on 10/10/2022. Since then there was no progress in the hearing of the revision application preferred by the Petitioners before the Hon'ble Minister.

4. Hence, the following order:

ORDER

- i) The Hon'ble Minister is requested to decide the Revision Application i.e. EKATRI-3022/943/PR.KR.307/J-6 within a period of three months from today, without being influenced by the impugned order dated 10/10/2022.

ii) All the contentions of both the parties shall be decided independently after hearing both the sides.

iii) With these directions, the petition is disposed of.

(SARANG V. KOTWAL, J.)