

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.325 OF 2020

Puj Dharamwadi Panchayat

....PETITIONER

V/S

State of Maharashtra & Ors.

....RESPONDENTS

...

Mr. P.D. Dalvi a/w Ms. T Sodhi i/b Mr. Jaiwant S. Chandnani Associates for the Petitioner.

Ms. V.S. Nimbalkar, AGP for Respondent Nos.1 to 4/State.

Mr. Girish R. Agrawal a/w Ms. Naiana P. Bordste for Respondent No.5.

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CORAM : SANDEEP V. MARNE, J.

DATE : OCTOBER 27, 2023.

P.C.:

1 The challenge in the present Petition is to the order dated 20 December 2019 passed by the District Superintendent of Land Records, Thane, allowing the application for condonation of delay filed by the contesting Respondent.

2 Mr. Dalvi, the learned Counsel appearing for the Petitioner would submit that the Petitioner has preferred the revision application before the Minister, Revenue, challenging the order dated 20 December 2019. He would submit that the present Petition was required to be filed as the Petitioner was in urgent need of stay. It appears that this Court, by its

order dated 14 January 2020 has granted interim relief in terms of prayer clause (c) in the Petition which reads thus:

‘c. That pending the hearing and disposal of present petition, this Hon’ble Court be pleased to direct the Respondent No.3 to stay the Review Application in Appeal and not to take coercive steps and to maintain status quo in respect of the said plot;’

3 In my view, instead of entertaining the present Petition it would be appropriate that the State Government decide the revision application filed by the Petitioner challenging the order dated 20 December 2019 on its own merits. Till the revision application is decided, the interim order granted on 14 January 2020 can be continued. Accordingly, the Writ Petition is disposed of with a request to the Minister, Revenue to decide the revision application filed by the Petitioner challenging the order dated 20 December 2019 as expeditiously as possible preferably within a period of four months from today.

4 Till the decision of the revision application, the interim order dated 14 January 2020 shall continue to operate.

5 Parties shall appear before the Minister, Revenue on 1 November 2023 and obtain further directions.

(SANDEEP V. MARNE, J.)