

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

WRIT PETITION NO. 756 OF 2018

Devasthan Vyavasthapan Samiti
Western Maharashtra, Kolhapur
and Anr.

....Petitioners

V/s.
Rajaram Shankar More and Ors.

...Respondents

Mr. Sanjiv Sawant a/w Mr. Samir Suryawanshi and Ms. Bhakti Wast for
Petitioners.

Mr. A.I. Patel, Addl. G.P. a/w Mr. K.S. Thorat, AGP for State/Respondent.

Mr. Yuvraj Narvankar for Respondent Nos. 1 and 2.

**CORAM : K.R. SHRIRAM &
FIRDOSH P. POONIWALLA, JJ.
DATED : 15th JUNE 2023**

P.C. :

1. Petitioner is seeking quashing of an order dated 9th September 2014 passed by the Minister for Revenue, Forest and Welfare on various grounds including the ground that the Hon'ble Minister had no jurisdiction to even pass the impugned order. It is also averred in the petition that the impugned order had been impugned in another Writ Petition No. 610 of 2015 that was filed by Respondent Nos.1 and 2 and this court by an order dated 16th March 2015 was pleased to direct the Tehsildar, Karveer to implement the order dated 9th September 2014. Mr. Narvankar states and Mr.Sawant concurs that this order of 9th September 2014 has already been acted upon and the Tehsildar has passed orders implementing the impugned order dated 9th September 2014. Mr. Narvankar informed the court that the

order passed by the Tehsildar was against Respondent Nos. 1 and 2 and Respondent Nos.1 and 2 carried it in appeal before the Sub Divisional Officer, Karveer. The Sub Divisional Officer also passed an order confirming the order of the Tehsildar against which Respondent Nos. 1 and 2 filed Revision Application before the Maharashtra Revenue Tribunal. That Revision Application also has been disposed by an order dated 1st December 2022. That order is in favour of Respondent Nos. 1 and 2. It means against the interest of petitioner in the present petition.

2. In the circumstances, nothing survives in this present petition since the order dated 9th September 2014 impugned has already been acted upon pursuant to the order dated 16th March 2015 passed by this court in Writ Petition No. 610 of 2015.

3. In the circumstances, petition dismissed.

4. Of course, it will be open to petitioner to adopt such steps as available in law in case they wish to impugn the order passed by the Maharashtra Revenue Tribunal.

5. We have expressed no opinions on the merits of the matter. All rights and contentions are kept open of all parties including Respondent Nos. 1 and 2.

6. In view of what is recorded above it will not be open to petitioner to impugn order dated 9th September 2014 any more.

(FIRDOSH P. POONIWALLA, J.)

(K.R. SHRIRAM, J.)