

Sayali Upasani

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

**INTERIM APPLICATION NO. 4535 OF 2023
IN
WRIT PETITION NO. 7680 OF 2022**

Sanjay Mohanlal Dube

...Applicant/
Petitioner

Vs.

The Hon'ble Revenue Minister State of
Maharashtra and Others

...Appellant/
Respondents

Mr. Prajakt M. Arjunwadkar, for Applicant.

Mr. Sunil G. Karandikar, for Respondent No. 4.

Mr. S. H. Kankal, AGP for State- Respondent Nos. 1 and 2.

CORAM:- N. J. JAMADAR, J.

DATED:- 3rd JULY, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This application is taken out in Writ Petition No. 7680 of 2022, which came to be disposed by an order dated 23rd November, 2022, with liberty to the petitioner to assail the order passed by the District Superintendent of Land Record, respondent No. 2 before the State Government.

3) The applicant claims to have filed a Revision Application. However, the revision is not yet numbered nor any steps are taken to hear the Interim Application taken out by the petitioner-applicant therein.

4) The petitioner, therefore, prays for extension of the ad-interim relief in terms of the stay of the proceedings before the District Superintendent of Land Records, respondent No. 2 till the hearing and decision of the Revision Application.

5) Mr. Karandikar, the learned Counsel for the respondent No. 4 submits that the hearing of the proceedings before the District Superintendent of Land Records can be deferred till the decision on the Interim Application and not till the decision of the Revision itself, as prayed by the petitioner.

6) By an order dated 23rd November, 2022, while granting liberty to the petitioner to assail the order passed by the respondent No. 2, this Court has stayed the proceedings in Appeal pending before the respondent No. 2 for the period of three months.

7) Evidently, the petitioner's revision is not being heard. In the circumstances, the petitioner would suffer prejudice in the event the Appeal pending before the respondent No. 2 is decided while

the Revision Application is subjudice before the State Government.

8) In view of the above, the stay to the hearing of the proceeding before the District Superintendent of Land Records deserves to be extended till the hearing and decision on the application for interim relief in the revision preferred by the petitioner before the State Government.

9) The State Government shall make an endeavor to decide the Interim Application as expeditiously as possible and preferably within a period of three months from today.

10) The application stands disposed.

11) In view of dismissal of the Petition, the Interim Application also stands disposed.

[N. J. JAMADAR, J.]