

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5489 OF 2023**

Vitthal Pandurang Bhujbal and Ors.Petitioners

V/s.

Kushava Vavan Bhujbal and Ors.Respondents

Mr. Anoshak Davar a/w. Mr. Heramb Kadam for petitioners.

Mr. Harshad Inamdar for respondent.

Ms. K.N. Solunke, AGP for State – respondent.

**CORAM : K. R. SHRIRAM &
FIRDOSH P POONIWALLA, JJ.
DATED : 6th JULY 2023**

P.C. :

1 Prayer in this petition is primarily to direct respondent no.4 to decide petitioners' revision application expeditiously and until that is decided, stay on the implementation of the order impugned in the revision application be granted.

2 Mr. Davar states that petitioners' stay application was scheduled to have been taken up for hearing on 23rd March 2023 and later on 6th April 2023 but on both dates due to non availability of the Hon'ble Minister/paucity of time, petitioners' application was not taken up. Mr. Davar also states that there was a protective order passed on 29th November 2022 in writ petition that petitioners have filed earlier being Writ Petition No.14662 of 2022. A copy of the order is at Exhibit "B" to the

petition.

3 Mr. Davar states that the Court may direct respondent no.4 to expeditiously dispose the stay application together with the revision application and in the meanwhile, grant status quo. Mr. Inamdar, on instructions states that respondent nos.1 to 3 shall maintain status quo until the disposal of the stay application/revision application pending before respondent no.4. Statement accepted as undertaking to this Court. Both Mr. Inamdar and Mr. Davar state that they will co-operate with each other for expeditious disposal of the revision application/stay application pending before respondent no.4.

4 Respondent no.4 shall expeditiously dispose the stay application and revision application and in any event within 12 weeks from today. Respondent no.4 shall decide the matter independently on merits.

5 Petition disposed.

6 We clarify that we have not made any observations on the merits of the matter.

7 At this stage, both Mr. Davar and Mr. Inamdar state that their respective clients will be happy if the matter could be resolved between them so that even a Civil Suit that is pending between them can be worked out.

8 Therefore, by consent, Mr. Prathamesh Kamat, Advocate practicing in this Court and having his office at 44, Rajgir Chambers, 6th Floor, Opposite Old Custom office, Shahid Bhagat Singh Road, Fort, Mumbai 400023 (Mobile No.9833190164, Email ID : prathameshnkamat@gmail.com), is appointed as Mediator to mediate on all disputes between the parties.

9 The fees and administrative expenses of the Mediator to be shared equally between petitioners and respondent nos.1 to 3, i.e., 50% by petitioners and 50% by respondent nos.1 to 3.

10 The Mediator is requested to complete mediation and submit a report within eight weeks from today.

(FIRDOSH P. POONIWALLA, J.)

(K. R. SHRIRAM, J.)