

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

WRIT PETITION NO. 7204 OF 2022

SANTOSH
SUBHASH
KULKARNI

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Hiraman Laxman Mazire and ors. ...Petitioners

Versus

The State of Maharashtra and ors. ...Respondents

Ms. Manjiri Parasnis, for the Petitioners.

Mr. A. P. Vanarse, AGP for the State/Respondent No.1 to 3.

Mr. Vaibhav Gaikwad, for Respondent Nos.4 to 9.

CORAM: N. J. JAMADAR, J.

DATED : 13th JULY, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 26th May, 2022 passed by the Sub-Divisional Officer, Maval Mulshi in RTS/Appeal/SR/No.364 of 2022, whereby the Sub-Divisional Officer vacated stay granted to the order impugned in the said appeal, by an earlier order dated 14th February, 2022.
3. The learned Counsel for the respondent Nos.4 to 9 submits that RTS Appeal No.364 of 2022 still awaits adjudication before the Sub-Divisional Officer.
4. While issuing notice, by an order dated 24th June, 2022 this Court had directed *status quo* as regards the execution order of the Mamlatdar as of that date be maintained.

5. Having regard to the nature of the order impugned in this petition, it would be expedient in the interest of justice that the appeal is decided expeditiously by the Sub-Divisional Officer. In the meanwhile, the *status quo* ordered to be maintained by this Court, shall continue to operate as the subject matter of the appeal would thereby be protected. Hence, the following order.

: O R D E R :

- (i) The petition stands disposed with a direction to the Sub-Divisional Officer, Maval Mulshi, to decide RTS/ Appeal/SR No.364 of 2022, after providing an effective opportunity of hearing to the parties, as expeditiously as possible and, preferably within a period of eight weeks from the date scheduled for the appearance of the parties.
- (ii) The parties shall appear before the learned Sub-Divisional Officer on 24th July, 2023.
- (iii) Till the decision of the appeal the *status quo* ordered to be maintained by this Court by order dated 24th June, 2022, shall continue to operate.
- (iv) Petition stands disposed.

[N. J. JAMADAR, J.]