



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.15746 OF 2022**

Ranjana Shirish Sathe

... Petitioner

versus

Kruti Lalitkumar Jain and Ors.

... Respondents

Mr. Y.S.Jahagirdar, Senior Advocate i/by Mr. Abhijit P. Kulkarni for Petitioner.

Mr. Vineet B. Naik, Senior Advocate with Mr. Sameer Pandit, Ms. Krina Gandhi, Mr. Anmol Menon, Ms. Rozat Akolawala i/by Wadia Ghandy and Co., for Respondent Nos.1 to 7.

CORAM: N.J.JAMADAR, J.

DATE : 27 JUNE 2023

P.C.

1. Heard the learned Counsel for the parties.

2. The challenge in this Petition is to an order dated 29 November 2022 passed by the Minister (Revenue) in RTS 3421/2394/Pra.kra.297/J-5 whereby the Revision Application preferred by the Petitioner came to be dismissed affirming the order dated 27 September 2021 passed by the Additional Divisional Commissioner, Pune in RTS/Revision/Pune/127/2020, subject to the decision of the Civil Court in Special Civil Suit No.2243 of 2022.

3. Mr. Jahagirdar, learned Senior Advocate appearing for the Petitioner submits that in Special Civil Suit No.2243 of 2022, the learned Civil Judge, Sr. Division, Pune has passed an order restraining the Respondents from creating third party interest in the suit property and also from dispossessing the Petitioner-Plaintiff.

In the circumstances, Mr. Jahagirdar submits that the Petition can be disposed of. He further submits that though the impugned order has been made subject to the decision of the Civil Court, the observations therein may also be made subject to the orders of the Civil Court, lest they may cause prejudice to the Petitioner.

4. The apprehension expressed by Mr. Jahagirdar, as rightly pointed out Mr. Vineet Naik, Senior Advocate appearing for Respondent Nos.1 to 7, is addressed by the observations in paragraph 5.5 of the impugned order. The Minister (Revenue) has, in terms, clarified that the decision of the revenue authorities would be subject to the final outcome of Special Civil Suit No.2243 of 2022.

5. In view of the aforesaid observations, the Petition stands disposed.

6. It is hereby made clear that this Court has not entered into the merits of the matter and all the issues are open for consideration in Special Civil Suit No.2243 of 2022.

(N.J.JAMADAR, J.)