

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) NO. 1455/2023

ARJUN S/O PANDURANG GAIKWAD AND ANOTHER
VS

THE SUB DIVISIONAL OFFICER, SINDKHEDRAJA, BULDHANA AND OTHERS

Office Notes, Office Memoranda of
 Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.B. Patil, Advocate for the petitioners
 Ms. N.P. Mehata, Assistant Government Pleader for respondent nos. 1 and 2
 Mr. R.N. Ghuge, Advocate for respondent nos. 3 and 4

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI, J.J.

DATED : 15/03/2023

Rule. Rule made returnable forthwith. Heard the learned counsel for the parties.

2. Only relief sought by the petitioners is for expeditious consideration of the Revision Application that has been preferred by the petitioners for challenging the order passed by the Naib Tahasildar-cum-Mamalatdar on 14.10.2022. Since, the grievance of the petitioners that the stay application preferred by them had not been taken up for consideration, this writ petition was filed.

3. In view of the fact that respondent nos. 3 and 4 have now appeared before respondent no. 1 - Sub-Divisional Officer, direction is issued to respondent no. 1 - Sub-Divisional Officer to consider the petitioner's application for grant of interim relief, which application is dated 15.12.2022.

4. The petitioners and respondent nos. 3 and 4 to appear before respondent no. 1 - Sub-Divisional Officer, Sindkhedraja, Dist. Buldhana on **27.03.2023**.

5. Respondent no. 1 - Sub-Divisional Officer shall consider the application for stay on its own merits and pass appropriate order in accordance with law.

6. Interim direction that was issued by this Court on 08.03.2023 to continue till respondent no. 1 - Sub-Divisional Officer decides the stay application.

7. It is clarified that this interim direction is without recording any finding with regard to the rival claims of the petitioners and respondent nos. 3 and 4. The respondent no. 1 - Sub-Divisional Officer shall not be influenced by grant of the aforesaid interim direction and shall consider the prayer for stay in accordance with law.

8. With these directions, the writ petition is disposed of. No costs.

(M. W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

**SANDIP
MAHADEV
GATE**

Personal Assistant to the
Hon'ble Judge
Digitally signed by
SANDIP MAHADEV
GATE
Date: 2023.03.16
10:22:16 +0530