

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

WRIT PETITION NO. 3591 OF 2023

(Laxman Sadashiv Dhengale (dead) through LRs Madhukar Laxman Dhengale & Ors. Vs. Ravindra Yashwant Salfekar & Ors.)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri A.A. Dhawas, Advocate for the petitioners.
 Shri Amol Mardikar, Advocate for respondent No.1.
 Shri A.S. Fulzele, Additional Government Pleader for respondent Nos. 2 and 3.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : JULY 12, 2023

The petitioners have approached this Court seeking to raise a challenge to the order passed by the Sub-Divisional Officer dated 4/7/2021 which in turn confirmed the order passed by the Tahsildar/ President of Agricultural Land Tribunal, Wani dated 6/11/2020. According to the petitioners, a Revision Application under Section 111 of the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 has been filed before the Maharashtra Revenue Tribunal, Nagpur. The post of Presiding Officer is presently vacant. Our attention is invited to the order dated 20/6/2023 passed in *Civil Application No. 1421/2023 in Writ Petition No. 3897/2022 (Suresh Baliram Daterao Vs. The State of Maharashtra and others)* by which the State Government was directed to take a decision with regard to the appointment of the Presiding Officer in Maharashtra Revenue Tribunal. There is an order passed by the Registrar, Maharashtra Revenue Tribunal, Mumbai by which an additional charge of the Tribunal at Nagpur has been placed with the Tribunal at Aurangabad. In these facts, the possession of the petitioners was protected while issuing notice on 13/6/2023.

2] After hearing the learned Counsel for the parties, the following order is passed which would serve the interests of justice :

ORDER

The ad-interim order granted on 13/6/2023 shall continue to operate till 16/8/2023. In the meanwhile, if the post of Presiding Officer at Nagpur is filled-

in in terms of the order dated 20/6/2023, the petitioners can pursue the Revision Application preferred by them at Nagpur. If the vacancy is not filled-in, the parties can act in accordance with the order dated 6/7/2022 and approach the Tribunal at Aurangabad for further orders.

3] With these directions, the Writ Petition is disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

SUMIT