



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

Writ Petition No.5078 of 2023

**Pawan Pandurang Dandale Vs Naib Tahsildar-Cum-Mamlatdar, Lonar, 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

Shri R.B. Dhore, Advocate for the Petitioner/s
Shri D.P. Thakare, Addl.G.P. for the Respondent No.1/State
Shri A.S. Dhore, Advocate for the respondent No.3
Shri Roshan Suryawanshi, Advocate for the respondent Nos.2 and 4

CORAM : ANIL S. KILOR, J.

DATED : 29.08.2023

1. Heard.
2. It is argued that though the petitioner was not party before the Mamlatdar and also he was not present at the time of spot inspection, the order came to be passed against the petitioner relying upon the spot inspection report.
3. It is therefore, submitted that though an alternate remedy is available by way of revision before Sub-Divisional Officer (SDO) under Section 23 of the Mamlatdars' Courts Act, 1906, the petitioner has directly approached this Court.
4. The learned Addl.G.P. and the learned counsel for the respondent No.3 have pointed out that a revision application is pending before SDO, Lonar, District : Buldhana, filed at the instance of respondent No.4 and the SDO is seized with the matter as regards correctness of the impugned order of the Mamlatdar.

5. In that view of the matter, I am of the considered view that the end of justice would be sub-served, if the petitioner is permitted to file a revision application before the SDO, Lonar, District : Buldhana. Thereupon, both the revision applications can be heard and decided together by the SDO, to avoid conflicting orders.
6. In that view of the matter, to avoid further complications, there shall be stay to the extent of clause (3) of the operative order of the order dated 21.04.2023 passed by the Mamlatdar, Lonar, which shall continue till the decision of the SDO, Lonar.
7. If the petitioner files revision application within two weeks from today, the SDO, Lonar is directed to decide the same alongwith the pending revision application, within two months from the date of filing of the revision by the petitioner.
8. The writ petition is **disposed of** in the above terms.

[ANIL S. KILOR, J.]