

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

WRIT PETITION NO. 44 OF 2023

Vijaya Sharad Nawalkar_ Vs. __Additional Collector/SDO and ors

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

Court's or Judge's orders

Mr. R.J.Shinde, Advocate for petitioner.

Mrs. M.A.Barabde, AGP for respondent Nos. 1 & 2

CORAM : AVINASH G. GHAROTE, J.

DATE : 09/01/2023

1] Heard Mr. Shinde, learned counsel for the petitioner.

2] The petition challenges the order dated 11.10.2022, whereby the stay granted by the learned Revisional Court in a revision under Section 23(2) of the Mamlatdar Court Act has been vacated.

3] In **Sandip Bhagvatrao Bhakare vrs. Santosh Mohanlal Dave. 2022 (2) Mh.L.J. 516**, this Court has held that the Mamlatdar under the Mamlatdar Court Act has no power to grant any temporary injunction. The provisions of Section 23(2) of the Mamlatdar Courts Act while conferring powers of revision upon the Collector or his delegates also do not confer any power to pass an interim order. Mr. Shinde, learned counsel for the petitioner has not been able to point out any other provision, or judgment which holds otherwise, considering which, since the impugned order has the

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effect of correcting the earlier order, I do not see any reason to interfere. The petition is dismissed. No costs.

JUDGE

Rvjalit