



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 WRIT PETITION NO. 3378 OF 2024

ASHOK TARACHAND PATIL AND ANOTHER
VERSUS
INDUBAI GORAKH PATIL AND OTHERS

...
Advocate for the Petitioner : Mr. Patil Ujwal Subhash.
AGP for Respondents-State : Mrs. M. L. Sangit.
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CORAM : S. G. MEHARE, J.
DATE : 04.04.2024

PER COURT :-

1. Heard the learned counsel for the petitioners.
2. It is the contention of the petitioners that the *ex-parte* stay order was passed. Thereafter, they appeared before the Sub Divisional Officer and filed their affidavit-in-reply to the stay application. At one hand, the petitioners appeared before the Sub Divisional Officer, filed their reply and without any reason or allegation against the Sub Divisional Officer, they impugned the *ex-parte* stay order granted by him. When the petitioners have appeared and filed the reply, the matter must have been kept for hearing on stay application. There is no whisper about the stage before the Sub Divisional Officer. When the Court expressed disinclination to entertain the petition, the prayer is made that Sub Divisional Officer may be

directed to expedite the matter. This seems to be an inappropriate practice to pressure the Subordinate Courts. It is not the case that the Sub Divisional Officer is not entertaining the petition. Such practice must be curbed for. The case is pending before the Sub Divisional Officer. The petitioners may pursue the matter before the Sub Divisional Officer and avoid the abuse of the process of law. There are no reasons to pass any orders against the officer, who is performing his duty.

3. The writ petition stands dismissed.

(S. G. MEHARE, J.)

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vmk/-