



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

3 WRIT PETITION NO. 2982 OF 2024

VIKAS RAMDAS SHIVDE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS RURAL
DEVELOPMENT DEPARTMENT AND OTHERS

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Advocate for the Petitioner : Mr. Barhate Patil Avinash N.

AGP for Respondents/State : Mr.P.D. Patil

Advocate for Respondent No. 7 : Mr. Sujit Varma and Mr.S.S.

Koche h/f Mr. Devdatta P. Palodkar

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CORAM : S. G. MEHARE, J.

DATE : 07th MAY, 2024.

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. Issue notice to the respondents.
3. Learned AGP waives service of notice for the respondents/State.
4. Heard the learned Counsel Mr. Varma h/f Palodkar for respondent No. 7.

5. Considering the dispute, the matter may be disposed of at the admission stage.

6. Learned Counsel for the petitioner submits that the petitioner had filed a caveat. However, the impugned order is passed without hearing him. No further date was given.

7. The Hon'ble Minister has passed interim stay order which does affect the right of the petitioner. If the circumstances demand, the authority/or Court may pass interim orders, though, the caveat is filed, provided, the authority has to assign the reasons for passing such orders.

8. In such a situation, the normal practice is the party concerned may appear before the authority and make his submissions. It was a easiest and cheapest way to assist the litigants. It was possible for the petitioner, but reasons best known to him he came in Writ jurisdiction.

9. Since, the impugned order did not affect the right of

the petitioner finally and he may appear before the Minister, no relief as prayed for could be granted.

10. The petitioner is at liberty to approach the Hon'ble Minister, file his objection and put up his defence whatsoever, by adopting proper method.

11. For the above reasons, the petition stands dismissed.

12. No order as to the costs.

(S. G. MEHARE)
JUDGE

mahajansb/