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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4447 OF 2024

ASHA RAGHUNATH WAGHMARE

....Petitioner

VERSUS

THE ADDITIONAL COMMISSIONER AND OTHERS

.....Respondent

.....

Advocate for the Petitioner : Mr. Salve Vinod S.
AGP for Respondents: Mr. P.D. Patil.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 6th AUGUST, 2024.

ORDER :-

1. On 30th April, 2024, this Court passed following order :-
“5. The petitioner has a defence as argued. She has a specific case that she does not reside in the house where the alleged encroachment has been made. She lives with her husband independently. In view of her defence, there shall be interim stay to the impugned judgment and order of the Collector, Nanded passed in Case No. 2023/GB/Desk-1, Gra.Pa.Ni./CR-172 dated 11.03.2024 till the next date.
6. In result, the proceeding of appeal before the Additional Commissioner-I, Aurangabad is also stayed.”
2. It is informed that in view of the stay to the proceeding before the Additional Commissioner, the appeal of the petitioner is pending. It would be appropriate if the proceeding in appeal is heard

and decided expeditiously, within a period of 8 weeks from today. Hence, the following order :-

ORDER

- [a] Writ petition is allowed;
- [b] Learned Divisional Commissioner shall decide the pending appeal within a period of 8 weeks from today. Till the disposal of the appeal before the Divisional Commissioner, interim protection granted by this court under clause 5 and 6 of the order dated 30th April, 2024, shall remain in operation.
- [c] Writ petition is disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-