



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO.4443 OF 2024

ANUSAYABAI UDDHAVRAO SHELKE
VERSUS
SUB DIVISIONAL OFFICER AND OTHERS

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Mr. S.S. Jangada, Advocate for petitioner
Mr. V.M. Jaware, AGP for respondent Nos.1 to 4
Mr. S.K. Chavan, Advocate for respondent Nos.5 to 21

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CORAM : S.G. CHAPALGAONKAR, J.

DATE : 20th JUNE, 2024

ORDER :

1 Learned AGP waives notice for respondent No.3. The service is complete.

2 The petitioner approached this Court under Article 226 and 227 of the Constitution of India assailing order dated 10.04.2024 passed by Sub Divisional Officer, Parbhani in Revision Application No.2024 / Mamlatdar / revision, by which the earlier order granting stay to the order of Tahsildar was vacated.

3 Learned Advocates appearing for both the parties submit that the proceedings in revision against the order passed by Mamlatdar under Section

5 of the Act of 1906 is pending. Initially Sub Divisional Officer was pleased to grant stay to the order of the Mamlatdar, however, the same has been vacated under the impugned order while revision application is still kept pending. Considering the submissions advanced, it would be appropriate to direct Sub Divisional Officer to decide pending revision application within specified period and continue the stay to the execution and implementation of the order passed by the Mamlatdar till disposal of the revision application. Therefore, the writ petition is disposed of with following directions :

- i) Learned Sub Divisional Officer shall decide pending Revision Application No.2024 / Mamlatdar / revision within the period of eight weeks from today.
- ii) The parties shall co-operate for early disposal of the pending revision application.
- iii) Till disposal of the revision application the stay to the order passed by Mamlatdar shall continue to operate, however, it is made clear that the interim arrangement is made without prejudice to the contentions of the parties and the Sub Divisional Officer shall decide the revision application on its own merits, without influence by such order.

(S.G. CHAPALGAONKAR)
JUDGE