



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 WRIT PETITION NO.5662 OF 2024

Madhuri Rajendra Dhokne And Others

VERSUS

The District Collector Ahmednagar And Others

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Advocate for the Petitioner : Mr. D.R. Kale

AGP for Respondents: Mr. K B Jadhavar

Advocate for Respondents no.6-13, 15, 16 : Mr. Kale Ajeet B.

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : July 12, 2024

PER COURT :-

1. Heard learned advocates appearing for the respective parties.

2. It is not in dispute that a substantive revision application filed under section 23(2) of the Mamlatdars' Courts Act is pending before the Competent Authority i.e. Sub Divisional Officer against the order passed by the Tahsildar removing obstruction to the way in favour of the private respondents.

3. By order dated 14th June, 2024 this Court granted interim relief in favour of the petitioners i.e. stay to the operation and implementation of the order passed by the Mamlatdar, which is subject matter of the revision before the Sub Divisional Officer.

4. In these circumstances, the purpose will be served, if the parties co-operates for early disposal of the R.T.S. Revision application.

5. The parties shall be at liberty to furnish written notes of arguments in support of their contentions and argue the matter immediately on the day fixed by the Sub-Divisional Officer. If the date is fixed beyond a period of two weeks, it can be preponed and by giving notice to the parties, it can be heard. In any case, the Sub Divisional Officer shall decide the pending RTS Revision by 14th August, 2024.

6. Till then, there shall be interim stay to the operation of the order passed by the Mamlatdar.

7. It is made clear that, this Court had not expressed anything on merit of the matter and the Sub-Divisional Officer shall decide the proceeding strictly on merits, without influenced by any observations of the Court.

8. Writ Petition is accordingly disposed off. No costs.

(S. G. CHAPALGAONKAR, J.)
JUDGE

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