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wp 5825.24.odt

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5826 OF 2024

**BALASAHEB SHIVRAM TEMKAR
VERSUS
THE SUB DIVISIONAL OFFICER AND OTHERS.**

...

Mr. Rajendra Sudam Kasar, Advocate for petitioner.
Mr. S.N. Kendre, AGP for respondent Nos. 1 and 2.
Mr. Satyajit Bora, Advocate for respondent Nos. 3 to 6.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH JULY, 2024.

ORDER :-

Heard Mr. Rajendra Kasar, learned advocate appearing for the petitioner, learned AGP for respondent Nos. 1 and 2 and Mr. Satyajit Bora, Advocate for respondent Nos. 3 to 6.

2. It is informed that the Mamlatdar has passed order granting customary way in favour of the respondents. Aggrieved by the said order, revision application under Section 23(2) of the Mamlatdar Courts Act has been preferred before the Sub-Divisional Officer. Same is pending. An application was moved before the Sub Divisional Officer for grant of stay to the order passed by the Mamlatdar. However, it was refused. Against that order, the present writ petition has been filed.

3. Both the parties inform that the revision application is placed

for hearing on 5th August, 2024. In that view of the matter, it would be appropriate to direct the S.D.O. to expeditiously decide the revision application and maintain status-quo as of today, till disposal of the revision application. Hence, the following order.

O R D E R

- (A) The writ petition is partly allowed;
- (B) The learned Sub Divisional Officer is directed to decide the pending revision application within a period of four weeks and hear the parties finally on 5th August, 2024, which the next date fixed.
- (C) Till disposal of the revision application, parties shall maintain status-quo as of today.
- (D) Writ petition stands disposed of accordingly.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-