



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

WRIT PETITION NO. 9812 OF 2023

PRABHAKAR ASARAM KANGUDE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE ITS
PRINCIPAL SECRETARY AND OTHERS**

...

Mr. Nilkanth D. Batule, Advocate for the Petitioner.

Mr. N. D. Raje, AGP for Respondents-State.

Mr. S. J. Salunke, Advocate for Respondent Nos.7 to 18.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 24th JULY, 2024.

P.C.:-

1. The present petition is filed challenging notice issued by Circle Officer, Georai in pursuance to the order dated 01.06.2023 passed by the Tahsildar, Georai under Section 5 of the Mamlatdar's Courts Act.

2. Parties do not dispute that Revision Application under Section 23 of the Mamlatdar's Courts Act is filed challenging order of Mamlatdar before the Sub Divisional Officer and same is still pending. During pendency of the said Revision Application, the petitioner has been served with notice for execution of order of Mamlatdar. This Court under order dated 07.08.2023 while issuing notices to the respondents, granted interim relief in terms of prayer Clause (D) and the said interim arrangement is still in force.

3. In this background, it would be appropriate that parties shall make an endeavour to dispose of Revision Application pending before Sub Divisional Officer and argue it finally. In that view of

the matter, without going into the merits of the Writ Petition, Writ Petition stands disposed of with following directions:

ORDER

- a. Writ Petition is disposed of.
- b. Parties to the proceeding shall appear before the Sub Divisional Officer on 12.08.2024. They shall be at liberty to file written submissions in addition to oral arguments.
- c. The learned Sub Divisional Officer after considering the rival submission shall make an endeavour to decide Revision Application at the earliest and in any case, within a period of two months from the date of appearance of the parties.
- d. Pending hearing and final disposal of the Revision Application before the Sub Divisional Officer, the interim arrangement made under order dated 07.08.2023 shall remain in force.

(S. G. CHAPALGAONKAR)
JUDGE