

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO. 12550 OF 2023

Sitaram Narayan Garudkar

VERSUS

The Sub Divisional Officer And Others

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Advocate for the Petitioner : Mr. Jagtap Adinath B.

AGP for Respondents: Mr. A.S. Shinde

Advocate for Respondents 3,4 : Mr. Patekar Narendra B

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : August 01, 2024

PER COURT :-

1. Present petition takes exception to the order dated 29.1.2023 passed by Respondent no.1-Sub Divisional Officer, Ahmednagar on stay application in RTS Revision No.388 of 2023.

2. This Court, while issuing notice under order dated 9.10.2023 directed that subject way can be used as a path way and petitioner shall not obstruct respondents to utilize the same. The parties are *ad-idem* on the point that RTS Revision needs to be decided at the earliest on merit and both the parties are ready to co-operate for early disposal of the revision, which is pending before the Sub Divisional Officer.

3. In that view of the matter, writ petition can be disposed off with following directions. Hence, order.

ORDER

i. Writ Petition is partly **allowed**.

- ii. The Petitioner shall not obstruct the respondents to utilize the road as path way till disposal of the RTS revision pending before the Sub Divisional Officer.
- iii. The parties shall appear before the Sub Divisional Officer on 19th August, 2024, submit written submissions if so desired and also advance oral submissions.
- iv. The learned Sub Divisional Officer, after hearing the parties, shall decide RTS Revision on its own merits, without influenced by observations of this Court, within a period of six (6) weeks from the date of appearance of the parties.
- v. Parties shall co-operate for early disposal.
- vi. Writ Petition stands disposed off accordingly.

(S. G. CHAPALGAONKAR, J.)

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