



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

WRIT PETITION NO. 14198 OF 2023

1. Buranoddin s/o. Zahiroddin Kazi
 2. Siddhikabegum w/o. Buranoddin Kazi,
Both R/o. Dhoki, Tq. and Dist. Osmanabad .. Petitioners
- Versus
1. The State of Maharashtra
Through Principal Secretary, Forest and
Revenue Department, Mantralaya Mumbai
 2. The Hon'ble Minister Revenue and Forest
Mantralaya, Mumbai
 3. The Additional Divisional Commissioner-2,
Aurangabad Division, Aurangabad
 4. The Additional Collector, Osmanabad
 5. The Sub-Divisional Officer, Osmanabad
 6. The Talathi, Sajja Dhoki, Tq. and
Dist. Osmanabad
 7. Wajid s/o. Khuddus Kazi, R/o. Dhoki,
Tq. and Dist. Osmanabad .. Respondents

Mr. Suhas B. Ghute, Advocate for the Petitioners;
Mrs. M. L. Sangit, A.G.P. for Respondents No.1 to 6

CORAM : S. G. MEHARE, J.
DATE : 04-03-2024

PER COURT :-

1. Heard the learned counsel for the petitioners and the learned A.G.P. for respondents No.1 to 6.
2. Learned counsel for the petitioners submits that against the impugned order, they have preferred the revision before the Hon'ble Minister, in the month of August 2023. However, revision petition is yet not registered. Thereafter, they filed this writ petition making two prayers; to set aside the impugned order and in alternative to direct the office of the Hon'ble Minister to register and decide the said petition within a stipulated period.

3. The learned A.G.P. submits that there can not be two parallel proceedings against the same order. The statutory remedy of revision has been availed. Therefore, this writ petition is not tenable.

4. The grievance of the petitioners is that they have preferred the revision in the month of August 2023. However, the office of the Hon'ble Minister did not take steps to register the revision or place the application for stay or *interim* protection before the Hon'ble Minister. In the circumstances, the office of the Hon'ble Minister Revenue and Forest Department is directed to register the revision petition of the petitioners forthwith after receipt of this order and place the matter for hearing on stay application before the Hon'ble Minister.

5. If the matter is not registered and placed before the Hon'ble Minister on 07.03.2024, for passing orders on the stay application, considering the possibility of implementing the Code of Conduct for the ensuing Parliamentary Election, if interim orders could not be passed, the impugned order would be deemed to be stayed till the Hon'ble Minister passes the *interim* orders.

7. With the above directions, the writ petition stands disposed of.

(S. G. MEHARE)
JUDGE

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