

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

WRIT PETITION NO. 5253 OF 2024

**BHAGWAN BABANRAO MORE
VERSUS
SPL. LAND ACQUISITION OFFICER MINOR IRRIGATION JALGAON
AND OTHERS**

...

Advocate for Petitioner : Mr. Paresh B. Patil (Borse)
AGP for Respondents/State : Mr. Pradip D. Patil

...

**CORAM : SHAILESH P. BRAHME, J.
{ VACATION COURT }**

DATE : 30th MAY 2024.

Per Court :

- . Heard learned Counsel for the petitioner.
2. Issue notice for final disposal to the respondents, returnable on 24.06.2024. Learned AGP waives service of notice for respondent nos. 1 and 3.
3. Present matter be heard alongwith Writ Petition No.3878/2024 which is also kept on 24.06.2024. Parties shall be put to the notice that both the petitions shall be heard finally.
4. The petitioner is claimant who is prosecuting LAR No.268/2010 and 455/2010 before Civil Judge, Senior Division, Chalisgaon. He was issued with show cause notice for action

under Section 340 of the Code of Criminal Procedure. Being aggrieved, Writ Petition No.3878/2024 was filed and interim orders were passed on 15.04.2024. Interim orders have been continued by order dated 29.04.2024. Matter is pending for further consideration on 24.06.2024.

5. In the meantime, Reference Court insisted for proceeding with reference. On couple of occasion, petitioner was required to file application for adjournment citing pendency of the Writ Petition No.3878/2024 in the High Court. By impugned orders passed below Application Exhibit-105 and 108, applications were rejected. Hence present petition is filed.

6. Learned Counsel for the petitioner submits that earlier writ petition is due for hearing on 24.06.2024. The decision in the Writ Petition has bearing over the merits of reference proceedings. In that view of the matter, there shall be ad-interim in terms of prayer clause 'C' till the next date. However, it is made clear that petitioner shall take due steps to decide both the writ petitions finally.

**SHAILESH P. BRAHME
JUDGE**

Najeeb...