

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3316 OF 2017

VAIBHAV
RAMESH
JADHAV
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Date: 2024.11.26
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Dilip Mahadev Ranavare ... Petitioner

V/s.

Bajirao Dnyanu Masalkar & Ors. ... Respondents

Mr. Rahul S. Kate for the petitioner.

Mr. A. I. Patel, Additional Government Pleader with Mr.
Hamid Mulla, AGP for the State-respondent.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 26, 2024

P.C.:

1. The petitioner is challenging validity of permission granted by the Collector, confirmed by the Additional Commissioner, to sell the property. It is not in dispute that the petitioner has filed suit for specific performance which is pending. It is well settled that permission granted by the revenue authorities to sell the property shall not affect the petitioner's right to enforce right created by agreement to sell. Therefore, the writ petition is disposed of by clarifying that the order of grant of permission by revenue authorities shall not affect the petitioner's right to pursue his remedy of suit for specific performance.

2. Pending interlocutory application(s), if any, stand disposed of.

(AMIT BORKAR, J.)