

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

**WRIT PETITION NO.11321 OF 2023**

Hajrabanu Abdul Sakur Chaudhari & Anr. .. Petitioners

**Versus**

The Additional Tahasildar & Ors. .. Respondents

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**Mr.Nitin Deshpande**, Advocate for the Petitioners.

**Mr.A.I. Patel, Addl.G.P. a/w R.S. Pawar, AGP** for  
State/Respondent.

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**CORAM: B. P. COLABAWALLA &  
SOMASEKHAR SUNDARESAN, JJ.**

**DATE : MARCH 19, 2024**

**P. C.**

**1.** The above Writ Petition is filed seeking the following  
reliefs:-

*"(a) this Hon'ble Court may, by way of Writ of Prohibition or  
any other writ, order or direction in the nature of writ of  
prohibit, prohibit the Additional Tahsildar, ALT, Pimpri  
Chinchwad, Tal. Haveli, Dist. Pune from proceeding  
with the Notice dated 21.07.2023 bearing No.Tenance  
Act/Review/SR/10/2023.*

(b) *this Hon'ble Court may quash and set aside the notice bearing No.Tenance Act/Review/SR/10/2023. dated 21.07.2023 issued by the Additional Tahsildar, ALT, Pimpri Chinchwad, Tal. Haveli, Dist. Pune"*

**2.** Despite these prayers, the learned counsel appearing on behalf of the Petitioner fairly stated that he would participate in the review proceedings before the Additional Tahsildar, ALT, Pimpri Chinchwad, Taluka Haveli, District Pune bearing No. Tenancy Act/Review/SR/10/2023. He however submitted that in the event any order is passed by the said Additional Tahsildar (in the review proceedings) which is adverse to the Petitioner, the same ought not to be given effect to for a period of 3 weeks from the date of communication of the said order to the Petitioner.

**3.** Having heard the learned counsel for the Petitioner we find that this request is a fair and reasonable one in the facts of the present case. Initially the Additional Tahsildar, ALT, Pimpri Chinchwad, Taluka Haveli, District Pune, had passed an order in favour of the Petitioner. That order is sought to be reviewed in the proceedings mentioned above. Since these are the peculiar facts of the present case, we direct

that the Petitioner shall participate in the review proceedings before the Additional Tahsildar and if the order passed by the Additional Tahsildar is adverse to the Petitioner, the same shall not be given effect to for a period of 3 weeks from the date when the said order is communicated to the Petitioner.

4. The Writ Petition is disposed of in the aforesaid terms. However there shall be no order as to costs. We may hasten to add that we have not opined on the merits of the review proceedings one way or the other and the same shall be decided on its own merits and in accordance with law.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[SOMASEKHAR SUNDARESAN,J.]**

**[B. P. COLABAWALLA, J.]**