

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 17 OF 2024

Shiva Hari Patil

.. Applicant

Versus

Ambaji Bapuso Patil & Anr.

.. Respondents

-
- Mr. Vikrant Desai i/by Ms. Nikita Kamble for Applicant
-

CORAM : MILIND N. JADHAV, J.

DATE : JUNE 13, 2024

P. C.:

1. Heard Mr. Desai, learned Advocate for Applicant.
2. As averred in ground (f) of the CRA, the dispute between Applicant and Respondent No. 2 is pending before the appropriate forum i.e. the Rehabilitation Department Officer. When the matter was argued day before yesterday by Mr. Kamble, as directed, today Mr. Desai has placed on record the proceedings which are pending before the Rehabilitation Department Officer. It was contended by Mr. Kamble that the outcome of the said proceedings would determine the substantive right of the Applicant and Respondent No. 2 in the present Application.
3. Mr. Desai, learned Advocate representing Mr. Kamble has placed before me a copy of the RTS Appeal No. 249/2022 filed before the Additional Commissioner, Pune Division, Pune. It is seen that the said

Appeal is filed by Respondent along with Pandurang Dnyanu Patil against the Applicant herein. Copy of this order shall be placed before the Chief Government Pleader, Appellate Side. The Chief Government Pleader is directed to take cognizance of the same and inform the status of RTS Appeal No. 249/2022 after obtaining appropriate instructions from the concerned Rehabilitation Department Officer / Forum through the Government Pleader. Though this dispute emanates from the order of the Civil Court and the State Government is not a party herein, the aforesaid pending RTS Appeal if decided by the concerned Competent Authority would determine the *lis* between the parties. In that view of the matter, the aforesaid direction is given.

4. Learned Chief Government Pleader of the Appellate side is therefore requested by this Court to depute the AGP along with the aforementioned necessary information on the next date after obtaining the same.

5. Copy of this order shall be placed before the Chief Government Pleader, Appellate Side by learned Advocate for Applicant.

6. Stand over to **27th June, 2024 at 2:30 p.m.**

[MILIND N. JADHAV, J.]