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Date: 2024.05.14
18:03:34 +0530IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7114 OF 2024

Arya Associates Through its Partners Manoj ... Petitioner
Hingorani*Versus*

The State of Maharashtra and Ors.

...Respondents

Mr.Vikramjeet Garewal a/w Mr.Vinayak Pandit i/b Mr.Ajinkya Udane for
the Petitioner

Mr.A.R.Deolekar, A.G.P. for the State

CORAM: FIRDOSH P POONIWALLA, J.
DATED: 14th May, 2024
VACATION COURT

P.C.

1. This Petition has been filed seeking directions to Respondent No.2, Revenue Minister, Government of Maharashtra, to expedite the hearing of the Revision Application No.3046 of 2022 filed by the Petitioner and of the Application for Stay filed in the said Revision Application.
2. It is the case of the Petitioner that the Tahsildar passed an Order dated 23rd September 2021 for rectification of a mutation entry.
3. An Appeal was filed before the Sub Divisional Officer, being Appeal No.174 of 2022, by Respondent No.5, which was rejected by an Order dated 16th June 2022. Thereafter, Respondent No.5 filed an Appeal before the Deputy Collector. By an Order dated 15th March 2024 passed in Revision Appeal No.838 of 2022, the Deputy Collector allowed the Appeal. However, he stayed that Order for a period of 60 days i.e. till 15th May 2024. Thereafter, the Petitioner filed an Appeal before the Additional Divisional Commissioner, Pune. In that Appeal, the Petitioner filed a stay application for stay of the Order dated 15th March 2024 passed by the Deputy Collector.

4. By an Order dated 4th April 2024, the stay application of the Petitioner was rejected. However, the Appeal is still pending before the Additional Divisional Commissioner.

5. By Revision Application No.3046 of 2024 filed on 12th April 2024, the Petitioner has approached the Respondent No.2, i.e. Revenue Minister, Government of Maharashtra and has sought stay of the Order dated 15th March 2024 passed by the Deputy Collector. That Application is still pending.

6. The application for stay filed by the Petitioner before the Revenue Minister on 12th April 2024 is yet to be decided. In these circumstances, directions will have to be given to the Revenue Minister to decide the stay application of the Petitioner within a certain period of time and till that time the order dated 15th March 2024 passed by the Deputy Collector will have to be stayed.

7. Accordingly, the following Order is passed:

- a. Revenue Minister, Government of Maharashtra is directed to decide the stay application filed by the Petitioner in Revision Application No.3046 of 2024 within a period of 8 weeks from today.
- b. Till the stay application is decided by the Revenue Minister, and for a period of one week thereafter, the order dated 15th March 2024 shall remain stayed.
- c. Petition stands disposed of in the aforesaid terms.

(FIRDOSH P. POONIWALLA, J.)