

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9971 OF 2024
IN
WRIT PETITION NO.8721 OF 2023.

Kisan Laxman Nehre

...Applicant.

In the matter of:

Rajendra Sudamarao Sonwane

...Petitioner.

Versus

The State of Maharashtra and Ors.

...Respondents.

*Mr. Sanjeev Sawant a/w. Mr. Abhishek Adke and Mr. Nimish Gavali for
the applicant.*

Mr. Suresh Sabrad for original petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : 1st July, 2024.

P. C. :

1. Interim Application has been preferred seeking review of the order dated 10th June, 2024 only to the extent of seeking a clarification that the RTS Appeal No.81 of 2020 will be heard by the Collector without being influenced by the observations made in the order.

2. Learned counsel for the respondent- original petitioner submits that despite this Court calling upon the Applicant to concede to the

remand of the matter, the same was not accepted and as such the order has been passed. He submits that by way of the present application the clarification which is sought should not be granted.

3. By order dated 10th June, 2024 as the matter was remanded, the Collector was directed to decide the same expeditiously. As consideration by the Collector is required to be done afresh, while doing so the Collector should not be influenced by the observations made in the order as then the whole purpose of the remand would be rendered infructuous.

4. As such Interim Application is allowed. In paragraph No.16 of the order dated 10th June, 2024 the following sentence be added:

"The Collector is directed to decide RTS Appeal No.81/2020 afresh and without being influenced by the observations made in the present order."

5. Corrected order be uploaded accordingly.

6. Interim Application stands allowed in terms of prayer clause (b).

[Sharmila U. Deshmukh, J.]