



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAC] No.21 of 2024
in
Civil Revision Application [CRA] No.80 of 2017

Gauri Begum Sheikh Anwar and others

vs.

Additional Collector, Yeotmal, District Yeotmal and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms. Mrunal Shesh, Advocate for the Applicants.
Mr. Sooraj Hulke, A.P.P. for Non-Applicant Nos.1 and 2
Mr. V.N. Patre, Advocate for Non-Applicant No.3.

CORAM : M.W. CHANDWANI, J.
DATE : 4th APRIL, 2024.

Heard.

02] There was a stay to the impugned order since filing of the revision application and from time to time, it was extended. While admitting the revision application, a direction was given to list the matter for final hearing on 17/09/2019 and interim order was continued till 17th September, 2019. However, the matter was not listed on 17/09/2019. Thereafter, on 09/02/2021, the matter was listed for hearing on the application for vacation of stay. The Court, after observing that the interim stay was granted till 17/09/2019, disposed of the application for vacation of stay of the non-applicant on the ground that interim order ceases to exist from 18/09/2019.

03] It is a matter of record that since the matter was not listed on 17/09/2019 as per the directions of this Court, the interim order could not be continued. No doubt, while passing the order by this Court on 09/02/2021, the learned Counsel for the applicants as well as

the learned Counsel for non-applicant No.3 was present. On that date, neither the learned Counsel for the applicants pressed for stay nor the learned Counsel for non-applicant No.1 informed the Court about vacation of stay. The applicants have moved this application almost after 2½ years.

04] Be that as it may, the fact remains that there was stay in the proceedings. Otherwise also, the matter is ripe for the hearing. No prejudice would be caused to the parties, if stay is granted till the next date of hearing.

05] Hence, there shall be stay to the effect and operation of the impugned order till the next date of hearing. The application is disposed of as such.

06] List the revision application for final hearing after four weeks.

JUDGE

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