



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

950 WRIT PETITION NO. 2802 OF 2025

BABU LAXMAN SHEP AND OTHERS
VERSUS
MANIK BHAGUJI SHEP AND OTHERS

Advocate for the Petitioners : Mr. S.R. Shirsat h/f. Mr. Gite Ravi Balasaheb
AGP for Respondents 2 to 6 : Mr. Rajdeep D. Raut
Advocate for Respondent 1 : Mr. S.W. Munde

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CORAM : ARUN R. PEDNEKER, J.

Dated : September 25, 2025

PER COURT :-

1. By way of present writ petition, the petitioners challenge the impugned order dated 5.2.2025 passed by the Additional Commissioner, Aurangabad Division, Aurangabad, refusing to grant stay to the order dated 30.10.2025 passed by the Additional Collector, Ambajogai in File No. 2022/CD/1/Appeal/99.

2. The learned counsel for the petitioners submits that their substantive revision petition is pending before the revisional authority i.e. the Additional Commissioner, Aurangabad and during the pendency of their revision, application was filed challenging the order of the Collector in which the petitioner has prayed for interim protection. However, the same being rejected on 5.2.2025, the present writ petition is filed.

3. This Court while issuing notice on 3.3.2025 has protected the petitioner by observing in clause (3) as under :-

"3. No change be effected in the mutation entry till the next date."

4. The learned counsel appearing for the respondent No. 1 opposes the

writ petition.

5. Considering that there is interim order operating from 3.3.2025, instead of going into the merits of the matter which may cause prejudice to the either party, this court deems it fit to direct the revisional authority i.e. Additional Commissioner Aurangabad to decide the Revision Petition No. 33/2025 within a period of two months from the date of production of this order. The interim order dated 3.3.2025 passed by this Court to continue to operate till the disposal of Revision Petition No. 33/2025. The petitioner would not take adjournment before the revisional authority. In the event, the petitioner delays the proceeding, the revisional authority would be entitled to dispose of the proceedings in absence of the petitioner.

6. Revision petition be decided on its own merits without being influenced by the observations made by this court. All contentions are kept open. Parties to appear before the Additional Commissioner on 7.10.2025. Additional Commissioner thereafter to fix the matter as per his convenience. The writ petition is disposed of accordingly.

(ARUN R. PEDNEKER, J.)

ssc/