



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO. 3707 OF 2025

RAJENDRA SHIVPRASAD PANDIT AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH DIVISIONAL JOINT REGISTRAR
AND OTHERS

Mr.D.S. Bagul, Advocate for the petitioners.

Mr.K.S. Patil, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 18.03.2025

PC :-

01. Heard learned Advocate for the petitioners and learned AGP for respondent Nos. 1 and 2. Looking to the grievance of the petitioners, this Court does not feel it necessary to issue notice to respondent Nos. 3 and 4. The only grievance of the petitioners in the petition is that when they filed revision before the Divisional Joint Registrar, Nashik, there was stay granted initially pending the revision. However, now the main matter is reserved for orders and next date granted is 07.04.2025. However, status-quo order granted on 05.02.2025 is cancelled. It is the submission of learned Advocate for the petitioners that if stay or status-quo is not continued, their revision would become infructuous. If no stay is granted, the Authority may lodge FIR. Once the FIR is lodged, the petitioners would suffer prejudice. He submits that therefore it was expected of the Authority to continue the earlier order at least till decision of Revision Application No. 21 of 2025, filed by the present petitioners.

02. Learned AGP opposes the petition. He submits that the learned Divisional Joint Registrar has applied its mind to the facts of the case and it is only thereupon the order is passed. There is discretion vested with the Authority. Merely because the discretion is not used in favour of the petitioners, cannot be a reason to quash the order.

03. Looking to the pendency of the revision, this Court finds that earlier status-quo was granted. Interest of justice requires that the status-quo be continued till decision of the revision. This Court is, therefore, inclined to allow the writ petition.

04. The Writ Petition is allowed in terms of prayer clause (B). The Revisional Authority is, however, expected to decide the revision pending before him within 8 (eight) weeks from today.

05. The writ petition is accordingly disposed off with no order as to costs.

[KISHORE C. SANT, J.]