

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7212 OF 2025

Gajanan Haribhau Chavan And Another
VERSUS
The State Of Maharashtra And Others

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Advocate for the Petitioners : Mr. Kazi S.S.
Advocate for Respondent Nos.4 & 5 : Mr. Y.L. Bidve h/f Mr. Dinesh
Manatkar

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : JUNE 17, 2025

PER COURT :-

1. Heard Mr. Kazi, learned advocate appearing for petitioners.
2. The order passed by the learned Tahsildar under Section 5 of Mamlatdar's Courts Act is impugned in this petition.
3. Learned advocate appearing for respondent/caveator points out that apart from fact, there is alternate remedy of filing revision. The order impugned is passed on 26.12.2024. As such, present writ petition suffers from delay and laches. Faced with the aforesaid objection, Mr. Kazi seeks permission to withdraw writ petition with liberty to avail alternate remedy of filing revision.
4. Mr. Kazi request this Court to stay the execution of impugned order till the petitioners approaches the Sub-Divisional Officer by filing revision, as the petitioners are served with notice and it is proposed that on 17.06.2025, the order of Tahsildar is to be

executed. In this background, the execution of order passed by the Tahsildar be kept in abeyance for a period of one week from today. Meanwhile, if petitioners file revision application, the learned Sub-Divisional Officer to consider it on its own merit.

5. Writ Petition stands disposed of.
6. Learned AGP to communicate this order to the concerned authorities.

(S.G. CHAPALGAONKAR, J.)