



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

937 WRIT PETITION NO.13421 OF 2025

**VISHNU BAJIRAO PHATANGARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
DISTRICT COLLECTOR AND OTHERS**

...

Advocate for the Petitioners : Mr.A.T.Kanawade
AGP for Respondent-State : Mr.S.K.Shirse

...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 11.11.2025**

P.C. :

1] The learned counsel for the petitioners submits that he has filed Civil Suit in the year 2023, however, the same is pending adjudication and the interim application is not taken up for consideration till date.

2] In view of Section 22 of the Mamlatdars' Courts Act, any interim or final orders passed by the authorities constituted under the Mamlatdars' Courts Act would be subject to interim or final orders passed by the Civil Court qua the same subject matter. The Authorities constituted under the Mamlatdars' Courts Act may not implement the

orders for a period of three weeks from today so as to enable the petitioners to seek urgent relief before the Civil Suit. However, it is observed that the implementation of the order is deferred only so as to enable the petitioners to approach the Civil Court to move urgent application before the civil suit. If such an application is moved by the petitioners before the Civil Court, the Civil Court to decide the same in accordance with law without being influenced by any of the observations made by this Court or by the Authorities constituted under the Mamlatdars' Courts Act. If the respondents aggrieved by this order, they are entitled to apply for recall of the order. I have not issued notice to other side as it would consume further time.

3] With the above observations, the Writ Petition is dismissed.

[ARUN R. PEDNEKER]
JUDGE

DDC