



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO. 5645 OF 2025

NARAYAN NARHARRAO DHARMADHIKARI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. P.V. Mandlik, Senior Advocate, i/by Gandhi
Amol Subhash

AGP for Respondents: Mr. V.M. Kagne

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 29.04.2025

PER COURT :

Leave granted to add prayer clause.

2. The petitioners are aggrieved by the fact that by condoning a delay of 49 years, respondent no. 2 is hellbent in deciding the appeal preferred by the contesting respondents by treating it to be an appeal under Section 247 of the Maharashtra Land Revenue Code, 1966. Aggrieved thereby, the petitioners have approached the State in revision preferred under Section 257 of the M.L.R.C. Code, which is pending before the learned Minister.

3. The learned Senior Advocate would point out that the revision is not being decided as also the stay application and simultaneously respondent no. 2 is hellbent in deciding the appeal and is about to decide it behind the petitioners' back without waiting for the issue regarding delay to get finalized.

4. The learned A.G.P. submits that the learned Minister would decide the stay application within six weeks and the revision within six months.

5. The anxiety being entertained by the petitioners about respondent

no. 2 deciding the appeal without waiting for adjudication in respect of delay condonation to reach finality, can simply be overlooked on the premise that all such issues including the delay can be a subject matter of challenge if at all the petitioners are required to face some adverse order at his hands. We cannot stop him.

6. Independently, in light of the statement made by the learned A.G.P., we dispose of the writ petition directing respondent no. 1/Minister to decide the stay application within six weeks and further directing him to decide the revision within six months.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-