

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6934 OF 2025

Devai Shivdas Gaikwad Since

Decd. Thr. Lrs Shashikant

Pandurang Shinde

.....Petitioner

Vs.

Sakharam Atmaram Gaikwad

Since Deceased Through Lrs & Ors.

.....Respondents

Mr. Sharad T. Bhosale with Ms. Sujata Lohar, Mr. Saiprasad Patil and
Mr. Viraj Dhumal, for the Petitioner.

Mr. J. P. Patil, AGP for Respondent Nos.18 to 23.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 16th December 2025

PC.:-

1. The present Writ petition takes exception to order dated 31st December 2024 passed by Respondent i.e. Tahsildar, Pandharpur, District- Solapur under Section 85(2) of Maharashtra Land Revenue Code, 1960 in a proceeding arising out of praecipe transmitted under Section 54 of Civil Procedure Code for effecting partition of suit property in pursuance to decree passed in Regular Civil Suit No.63/1999.

2. Prima facie, it appears that Petitioner's right being successor of

Devai Shivdas Gaikwad is accepted on the basis of registered will, however, no share is allowed to him on the ground that Civil Suit between legal heirs of Shivdas Gaikwad is pending. Apparently, order passed by Tahsildar is appealable under Maharashtra Land Revenue Code, 1960.

3. In that view of matter, Writ Petition stands disposed of with liberty to Petitioner to approach Appellate Authority. If Petitioner files an appeal, same shall be decided expeditiously.

4. Accordingly, the Writ Petition stands **disposed** of.

(S. G. CHAPALGAONKAR, J.)