



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1969 OF 2025**

Shabira Sattar Inamdar
since deceased through LRs
Altaf Sattar Inamdar and Ors. ... Petitioners
versus
Intiyazbi Aminnuddin Kazi and Ors. ... Respondents

Mr. A.A.Devkhile, for Petitioners.

CORAM: N.J.JAMADAR, J.

DATE : 12 FEBRUARY 2025

P.C.

1. Heard the learned Counsel for the Petitioners.
2. The challenge in this Petition is to an order dated 11 October 2024 passed by the learned Civil Judge, Sr. Division, Pandharpur, whereby the percept was returned to the District Collector, Solapur, for its execution.
3. The Sub-Divisional Officer had returned the percept taking a view that in view of the subsequent change in the share of the parties, and the acquisition of the 29R of land for the irrigation project, the shares of the parties are required to be determined afresh.
4. Though, the impugned order deals with the aspect of change in the shares of the parties, entitled to partition, yet the consequences that may ensue on account of the acquisition of 29R land have not been adequately dealt with.

5. The issue requires consideration.
6. Issue notice to the Respondents for final disposal, returnable on 19 March 2025.
7. In addition to notice through Court, the Petitioner is at liberty to serve the Respondents by private service and file affidavit of service.
8. In the meanwhile, though the District Collector may proceed with the percept, final partition and delivery of possession of lands may not be effected.

(N.J.JAMADAR, J.)