

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.12260 OF 2024

Mayur Sharad Balwadkar

....Petitioner

V/S

Bharat Nivrutti Balwadkar & Ors.

....Respondents

Mr. Ashok B. Tajane with Mr. Yogesh Thorat *for the Petitioner.*

Mr. Sharad T. Bhosale *for Respondent No.1.*

Mr. S.D. Rayrikar, AGP *for Respondent Nos.3 and 4 / State.*

CORAM: SANDEEP V. MARNE, J.

DATE : 16 APRIL 2025.

P.C.:

1. The Petition is filed challenging order dated 14 August 2024 passed by the Additional Collector, Pune, rejecting the the application for stay filed in Appeal preferred by the Petitioner challenging the order passed by the Sub Divisional Officer on 7 June 2024. While issuing notice in the present Petition by order dated 9 September 2024 this Court has stayed further proceedings before the Additional Collector. On account of interim order dated 9 September 2024 passed in the present Petition, the proceedings of Petitioner's own Appeal have been stayed. In my view, the correct course of action is to request the Additional Collector to decide the Appeal in an expeditious manner. It also appears that parties have filed Civil Suits against each other concerning the land in question. It appears

that Writ Petition (Stamp) Nos.6406 of 2024 and 6254 of 2024 are filed in this Court challenging rejection/grant of interim orders in cross suits filed by the parties. In those Petitions interim order dated 6 May 2024 is passed directing both the parties to maintain *status quo*. In that view of the matter, interests of the Petitioner are already protected duly. In my view therefore, instead of entertaining the present Petition on merits it would be appropriate that the pending Appeal is heard and decided by the Additional Collector in an expeditious manner.

2. Accordingly the Additional Collector is directed to expedite hearing of the Appeal preferred by the Petitioner and to make an endeavour to decide the same as expeditiously as possible preferably within a period of three months. Parties shall appear before the Additional Collector on 28 April 2025 and shall obtain further directions for fixation of date(s) of hearing of the Appeal. All contentions of parties on merits are expressly kept open. With the above directions, the Petition is **disposed of**.

(SANDEEP V. MARNE, J.)

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