

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6149 OF 2025

Chairman Shriram Dudh Vyvaysayik Ltd., Chuye ... Petitioner
Vs.
Bajirao Ananda Patil and others ... Respondents

Mr. Yuvraj P. Narvankar for Petitioner.
Ms. S. R. Crasto, AGP for Respondent No.7.

CORAM : MANISH PITALE, J.
DATE : JUNE 10, 2025

P.C. :

- . Heard Mr. Narvankar, learned counsel for the petitioner.
2. By the impugned order, respondent No.7 - Additional Collector has allowed an appeal filed by respondent Nos.1 and 2 and remanded the matter to the Tahsildar for further consideration.
3. The respondent No.7 passed the impugned order in an appeal challenging an order of the Sub-Divisional Officer (SDO), whereby the said officer refused to condone the delay of about 40 years on the part of respondent Nos.1 and 2 in initiating proceedings for cancellation of mutation entries. The learned counsel for the petitioner submits that apart from the findings rendered by the respondent No.7, while allowing the appeal and condoning the aforesaid huge delay, the direction of remanding the matter to the Tahsildar is unsustainable, for the reason that the Tahsildar was never in the picture and it was only the SDO, who was concerned with the prayer made by respondent Nos.1 and 2 for cancellation of such mutation entries.
4. This Court finds *prima facie* substance in the contentions raised on behalf of the petitioner that the impugned order, on both counts,

appears to be unsustainable.

5. Issue notice for final disposal, returnable on 15.07.2025, High on Board.

6. Ms.Crasto, learned AGP waives notice on behalf of the respondent No.7.

7. Additionally, the petitioner is directed to serve respondent Nos.1 to 6 by way of private service and to file affidavit of service within four weeks from today.

8. In the meanwhile, there shall be ad-interim stay of the impugned order.

9. The respondents are granted time of four weeks to file reply affidavit.

(MANISH PITALE, J.)

Minal Parab