

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7778 OF 2025

Tayappa Appa Garande ... Petitioner
Vs.
State of Maharashtra through Sub-Divisional
Officer's Office and others ... Respondents

Mr. Prasad Kulkarni a/w. Mr. Nakul Shukla and Mr. Amol Kanaki for Petitioner.
Ms. S. R. Crasto, AGP for Respondent No.1-State.

CORAM : MANISH PITALE, J.
DATE : JUNE 17, 2025

P.C. :

- . Heard Mr. Kulkarni, learned counsel for the petitioner.
2. By this petition, the petitioner has challenged order dated 02.06.2025 passed by the Sub-Divisional Officer, Mangalvedha (SDO), whereby an earlier order dated 02.05.2025, granting *status-quo* during the pendency of revision application filed by the petitioner, has been vacated. It is submitted on behalf of the petitioner that due to the order of *status-quo* being vacated, the contesting respondent Nos.2 to 10 are seeking execution of the order dated 25.03.2025 passed by the Tahsildar. If the order is executed, the revision application pending before the SDO would be rendered infructuous.
3. A perusal of the documents filed in the petition shows that on 02.05.2025, the SDO granted *status-quo* in favour of the petitioner, as a consequence of which, an order passed against him by the Tahsildar under Section 5 of the Mamlatdar's Courts Act, 1906, in effect, stood stayed. The said order dated 02.05.2025 specifically directed that further hearing would take place on 17.06.2025.

4. But, subsequently on 23.05.2025, the SDO passed an order in the pending revision advancing the date of hearing to 30.05.2025. Thereafter, on 02.06.2025, the SDO has passed the impugned order vacating the order of *status-quo*. There is no reason recorded as to why the *status-quo* order has been vacated. It appears that the contesting respondents did not even apply for the *status-quo* order to be vacated. It was further directed in the impugned order that the hearing of the revision application would take place on 10.06.2025. This Court fails to understand as to how the SDO could pass the impugned order, in the first place, advancing the date of hearing from 17.06.2025, and secondly, how could the *status-quo* order be vacated in the absence of a specific application being filed to that effect and in the absence of any reasons being recorded in the impugned order.

5. There is substance in the contention raised on behalf of the petitioner that in the absence of *status-quo*, the order of the Tahsildar itself would be executed, rendering the revision application itself infructuous.

6. In view of the above, issue notice for final disposal, returnable on 31.07.2025.

7. Ms. Crasto, learned AGP waives notice on behalf of respondent No.1.

8. The petitioner is directed to serve respondent Nos.2 to 10 additionally by way of private service and to file affidavit of service within three weeks from today.

9. In the meanwhile, there shall be interim stay of the impugned order dated 02.06.2025 passed by the SDO. As a consequence, the earlier order dated 02.05.2025 granting *status-quo* stands revived.

10. The SDO shall make an endeavour to dispose of the revision application itself expeditiously.

11. It is made clear that this Court has not made any observations on the merits of the matter.

(MANISH PITALE, J.)

Minal Parab