

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8148 OF 2025

Rukmini Tukaram Bhomkar And Ors ... Petitioners

V/s.

The State Of Maharashtra Thr ... Respondents
Revenue Dept. and Ors

Mr. Ranjeet Patil I.by Govind Mundhe, for the petitioners.

Ms. M.s. Srivastav, AGP, for the State/Respondent No. 1.

Mr. Mittal Munoth, for the respondent nos. 6 to 8.

CORAM : N.J. JAMADAR, J.

DATE : 2nd SEPTEMBER 2025

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1. Heard the learned counsel for the petitioners.
2. The challenge in this petition is to an order dated 5th May 2025 passed by the learned Divisional Commissioner, Konkan Division, Mumbai, whereby the Divisional Commissioner directed the parties to submit the written arguments in RTS Revision No. 151 of 2025 and closed the matter for orders.
3. In the meanwhile, the petitioners had challenged an order passed by the Sub Divisional Officer condoning the delay of 29 years in challenging the certification of mutation entry, and the proceeding arising therefrom is subjudice before the Supreme Court in Special

Leave Petition (C) No. 3685 of 2025. Hence, the instant petition was filed seeking to quash and set aside the directions to the parties to submit the written arguments, and the closure of the revision application for decision.

4. On 23rd June 2025, this Court took note of the pendency of the Special Leave Petition (C) No. 3685 of 2025 before the Supreme Court and passed the following order:

“4. It is submitted that despite the pendency of the SLP and the status-quo order of the Supreme Court, the respondent – Additional Commissioner, in the impugned Rojnama, has directed that the parties shall submit their written arguments and that the matter stands closed for orders. It is submitted that the respondent - Additional Commissioner should hold his hands till the aforesaid SLP is pending before the Supreme Court, for the reason that if the SLP is allowed, there would be no occasion for determination of the merits of the matter and the petitioners would succeed on that count itself. In such a situation, it is submitted that the Additional Commissioner was expected to stay hearing of the revision proceedings, instead of directing that the matter stood closed for orders.

5. There is substance in the contentions raised on behalf of the petitioners.

6. In view of the above, issue notice for final disposal, returnable on 08.08.2025.

7. Mr. Bhadang, learned AGP waives notice on behalf of respondent Nos.1 to 5 State.

8. Additionally, the petitioners are permitted to serve respondent Nos. 6 to 10 by way of private service and file affidavit of service within three weeks from today.

9. In the meanwhile and till the next date of listing, respondent No.2- Additional Commissioner, Konkan Division is directed to stay further proceedings in the

pending revision application i.e. Revision Application No.151 of 2025.

10. The petitioners shall apprise this Court about the fate of the SLP on the next date of listing.”

5. Learned counsel for the petitioners invites the attention of the Court to an order dated 26/08/2025 passed in Special Leave Petition (C) No. 3685 of 2025 and connected petitions, whereby the said petitions are directed to be listed after four weeks.

6. Having regard to the limited nature of the challenge in this petition and the submissions made on behalf of the respondent nos. 6 to 8 that the proceedings before the Divisional Commissioner are adjourned sine die, the petition can be disposed of by making the aforesaid ad-interim order absolute.

7. Hence, the petition stands disposed with a direction to the respondent no. 2-Divisional Commissioner to stay the further proceeding in RTS Revision Application No. 151 of 2025 till the final disposal of the Special Leave Petition (C) No. 3685 of 2025 and connected petitions by the Supreme Court.

8. The parties shall apprise the Divisional Commissioner about the orders that may be passed by the Supreme Court in Special Leave Petition (C) No. 3685 of 2025 and connected petitions.

9. The petition stands disposed.

(N.J. JAMADAR, J)