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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8406 OF 2025

Anand S Jamsandekar And Ors ...Petitioners
Versus
The State Of Maharashtra Throu.
Govt Pleader And Ors ...Respondents

Mr. V.S.Kapse a/w Mr. Upendra Mahadik i/b Fast Track Legal for the
Petitioners.

Mr. M.M.Pabale, A.G.P for the Respondent-State.

Mr. Subodh S. Shah a/w Mr. Akshay R. Kulkarni for the Respondent
No. 3.

CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
DATE : 9th JULY, 2025

P.C. :

1. Heard learned Counsel for the parties.
2. At the outset, learned Counsel for the petitioners only

presses for prayer clause (a) and does not press the other reliefs sought. Prayer clause (a) reads thus :

“(a) That this Hon’ble Court be pleased to invoke its extraordinary Writ Jurisdiction under Article 227 of the Constitution of India, thereby direct the Respondent No.2 to comply with the Order dated 13.12.2023 passed by the Hon’ble High Court in Writ Petition No. 15565 of 2023.”

3. Perused the papers. This Court on 13th December, 2023 had passed the following order in Civil Writ Petition No. 15565 of 2023 i.e. in the petition filed by one Vaibhav Ramesh Mane as against the respondent Nos.3,4 and 5. The respondent Nos.3,4 and 5 in the said writ petition are the petitioners in the present case. The said order dated 13th December, 2023 reads thus :

“1. Rule. Rule made returnable forthwith.

2. The learned A.G.P. waives notice for Respondent nos.1 and 2 and

the learned counsel waives notice for Respondent nos.3 to 5.

3. The only relief sought by the Petitioner is for expeditious consideration of the Appeal preferred by the Petitioner under section 8D(1) of the Bombay Land Requisition Act, 1948, that is pending before the 2nd Respondent. In that Appeal, the notice issued by the Controller on 20th July

2021 is under challenge.

4. In these facts, since the appeal preferred by the Petitioner has been pending for almost three years, the Writ Petition is disposed of by directing the 2nd Respondent to decide the aforesaid Appeal on its own merits and in accordance with law within a period of 8 weeks from today.

5. It is made clear that all contentions of either parties are kept open for being raised before the said authority.

6. The Petitioner's Application for grant of interim relief shall be considered within a period of 10 days from today on its own merits.

7. Rule is disposed of in aforesaid terms. No order as to costs.”

4. Learned A.G.P, on instructions states that hearing in the appeal filed by the appellant – Vaibhav Mane has been done by the Appellate Authority and that, the Appellate Authority will decide the said appeal, as expeditiously as possible and in any event, within four weeks from today. Statement accepted.

5. In view of the aforesaid, nothing survives for further consideration in the petition.

6. Petition stands disposed of accordingly.
7. Needless to state, that we have not gone into the merits of the petition and as such, all contentions of all parties are kept open.
8. Needless to also state, that the Appellate Authority to consider the subsequent decision of the Apex Court.
9. All concerned to act on the authenticated copy of this order.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.