

Arun Sankpal

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

WRIT PETITION NO. 9375 OF 2025

Housing Development And Improvement India Ltd ..Petitioner

Versus

Additional Commissioner Konkan Division ...Respondent

Mr. Nikhil Patil, with Mrunali Lanjewar and Tushar Kadam, i/b MDP Associates, for the Petitioner.

Smt. Sulbha Chipade, AGP, for Respondent Nos. 1, 2 & 4-State.

Mr. Prabhat Kumar Dubey, for Respondent No.3.

CORAM: N. J. JAMADAR, J.

DATED : 9th JULY 2025

P.C.:

- 1.** Heard the learned Counsel for the parties.
- 2.** The challenge in this Petition is to an order dated 27th May 2025 passed by the Additional Divisional Commissioner, Konkan Division, in Revision Application No. 190 of 2025, whereby the Revision Authority has condoned the delay of 19 years in filing Revision Application against an order dated 19th January 2006, passed by the Collector, Mumbai Suburban District, directing the corrections in the property cards.

3. The learned Counsel for the Petitioner submits that the Petitioner has invoked the statutory remedy before the State Government and filed a proceeding on 16th June 2025. However, the said proceeding has not been numbered and Application for stay to the order passed by the Divisional Commissioner, has not been heard.

4. Since the Petitioner has already invoked the statutory remedy before the State Government, it may not be expedient for this Court to entertain the Petition. However, the Petitioner cannot be left in the lurch. The State Government must provide an effective opportunity of hearing to the Petitioner to seek stay to the order passed by the Divisional Commissioner.

5. In these circumstances, this Court finds it appropriate to request the Respondent No.4 to hear and decide the said proceeding and, more particularly, the Application for stay to the order passed by the Divisional Commissioner, expeditiously.

6. If it is not possible to hear and decide the stay application finally, the Respondent No.4 may consider to pass an appropriate order with regard to the prayer for ad-interim order and stay to the proceeding before the Divisional Commissioner.

7. The parties shall appear before Respondent No.4 on 21st July 2025.

- 8.** In the meanwhile, the Divisional Commissioner shall not pass final order in the Revision Application.
- 9.** Petition disposed.

[N. J. JAMADAR, J.]