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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10221 OF 2025

Sunil Maruti Rajpure and Anr ... Petitioners

vs.

Dashrath Ramu Rajpure and Ors ... Respondents

Mr. P.B. Gujar and Ms. Yogita Tembe for Petitioners.

Mr. Rushikesh C. Barge for Respondents.

CORAM : GAURI GODSE, J.

DATED : 28th JULY 2025

ORDER:

1. Heard. Arguable points are raised. Hence, Rule.
2. Rule on interim relief in terms of prayer clause(d) is made returnable on 24th November 2025.
3. In addition to the court notice, learned advocate for the petitioners to serve the respondents, by private notice and file affidavit of service, before the next date.
4. Learned counsel for the petitioners relies upon the decision of this court in case of *Akshay Soma Abhivant Vs The State of Maharashtra through its Revenue Minister*¹, to support his prayer in

1 Writ petition No. 7844 of 2023, dated 31st July 2024.

the petition. He submits that if the application is filed on the ground that there was already an existing road; an application under Section 143 of the Maharashtra Land Revenue Code, 1966 ('**MLRC**') would not be maintainable. He therefore seeks interim relief.

5. On perusal of the prayers in the application under Section 143 of the MLRC and the impugned order, prima facie, I find substance in the arguments raised on behalf of the petitioners.

6. Hence, till next date there will be ad-interim relief in terms of prayer clause (d).

(GAURI GODSE, J.)