

Santosh

IN THE 13th pt HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10679 OF 2025

Sunil Gajanan Kulkarni and anr. ...Petitioners

Versus

Mohammad Jabbir Abdul Sattar and ors. ...Respondents

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Mr. Siddhesh Bhole, a/w Ashwin Pimpale, i/b SSB Legal & Advisory, for the Petitioners in all WP.

Mr. S. S. Patwardhan, i/b Ajay Raje Nimbalkar, for Respondent Nos.2 and 3 in all WP.

Mr. A. C. Bhadang, AGP for the State – Respondent Nos.5 to 9 in WP/10679/2025.

CORAM: N. J. JAMADAR, J.

DATED: 4th AUGUST, 2025

PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order passed by the Divisional Commissioner, Pune Division, Pune, in RTS Revision Application No.258 of 2025, whereby an application preferred by the petitioners to stay the execution and operation of the order passed by the Additional Collector in RTS Second Appeal No.966 of 2022 dated 13th February, 2025 thereby dismissing the appeal preferred by the petitioners, came to be rejected.
3. A preliminary objection is raised on behalf of the private respondent that the petitioners have an efficacious alternate

remedy of preferring a revision before the State Government under Section 257 of the Maharashtra Land Revenue Code, 1966.

4. Mr. Bhole, the learned Counsel for the petitioners, submits that the Additional Commissioner has made observations regarding title of the petitioners over the subject land, which are *ex facie* against the weight of the material on record. And, therefore, this Court can exercise the writ jurisdiction.

5. The order impugned in this petition is an interim order. In the intervening period vide Mutation Entry No.11731 certified on 28th June, 2025, the name of Mohammad Shafi Shaikh has been mutated to the record of rights of the subject land. The alleged infirmity in the impugned order, if at all, appears to be an error within the jurisdiction of the revisional authority. In these circumstances, this Court does not find it expedient to exercise the supervisory jurisdiction.

6. However, it would be appropriate that the revision application before the Divisional Commissioner is heard expeditiously. The Court is informed that the revision application is now posted in the month of September, 2025. The learned Counsel for the parties agree that, the hearing of the

revision application be preponed, and submit that they will not seek any adjournment before the revisional authority.

7. The revision application, thus, stands preponed to 11th August, 2025.

8. The parties shall appear before the revisional authority on 11th August, 2025.

9. The revisional authority is requested to make an endeavour to hear and decide the revision application as expeditiously as possible, and, preferably, within a period of four weeks from the date of the appearance of the parties.

10. The petition stands disposed.

[N. J. JAMADAR, J.]