



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11122 OF 2025**

Prathamesh Developers and Anr. ... Petitioners
versus
The State of Maharashtra and Ors. ... Respondents

Dr. Uday Warunjikar i/by Mr. Aditya Thorat, for Petitioners.
Mr. J.P.Patil, AGP for Respondent No.1.

CORAM: N.J.JAMADAR, J.

DATE : 21 AUGUST 2025

P.C.

1. Heard the learned Counsel for the Petitioners.
2. The challenge in this Petition is to an order dated 24 April 2025 passed by the Sub-Divisional Officer, Pune, whereby the Sub-Divisional Officer has condoned the delay in filing appeal against the certification of Mutation Entry No.7248 and 7940.
3. Inviting the attention of the Court to an order dated 29 January 2013 passed in RTS Appeal No.135 of 2011, whereby the Sub-Divisional Officer had already dismissed the appeal against the certification of mutation entry No.7248, Mr Warunjikar submitted that the Sub-Divisional Officer, having already dismissed the appeal against the mutation entry No.7248, could not have again entertained and decided the appeal against the certification of mutation entry No.7248.
4. Prima facie, an arguable question as to whether the Sub-Divisional

Officer could have exercised the jurisdiction having already dismissed an appeal against the certification of mutation entry No.7248, arises for consideration.

5. Issue notice to the Respondents, returnable on 1 October 2025.
6. Learned AGP waives service of notice on behalf of Respondent Nos.1 to 3.
7. The Petitioners are at liberty to serve Respondent Nos.3 to 17 by private service and file an affidavit of service.
8. In the meanwhile, there shall be an ad-interim relief in terms of prayer clause (b) of the Petition.

(N.J.JAMADAR, J.)