

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11938 OF 2025

Ameer Jikarali Daudani

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Sarthak Diwan, Advocate for Petitioner.

Dr.Dhruti Kapadia, AGP for Respondent State.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 15th September 2025

P.C.

1. This petition is filed under Article 226 of the Constitution of India
praying for following substantive reliefs :-

A. to issue Rule and call for Record and Proceedings;

B. to direct the Respondent no. 1 i.e. the Ministry of Revenue and Forest, Mantralay, Nariman Point, Mumbai to decide the Revision filed by the Petitioner challenging the impugned order dated 17.06.2025 passed by the Ld. Additional Divisional Commissioner in R.T.S. Appeal No. 421 of 2024 and also the impugned order dated 29.07.2022 passed by the Ld. Assistant Collector Dahanu in R.T.S. Appeal No. 01 of 2021 in a time bound manner and as expeditiously possible and preferably within a period of four weeks;

C. Pending hearing and final disposal of the present Petition, to stay the further effect, operation, execution and or implementation of the impugned order dated 17.06.2025 passed by the Ld. Additional Divisional Commissioner in R.T.S. Appeal No. 421 of 2024;

D. Pending hearing and final disposal of the present Petition to stay the further effect, operation, execution and or implementation of impugned order dated 29.07.2022 passed by the Ld. Assistant Collector Dahanu in R.T.S. Appeal No. 01 of 2021;

E. to grant interim /ad-interim relief in terms of prayer clauses (C) to (D) above;

F. To grant such other just, equitable and consequential reliefs in favour of the Petitioners as this Hon'ble Court may deem just, legal and proper.

2. The primary grievance of the Petitioner in the present petition is inaction on the part of Respondent no.1 in not deciding the revision application along with stay application filed by the Petitioner before Respondent no.1 against the orders dated 17th June 2025 and 29th June 2022 passed by Respondent nos.4 and 2 respectively. The Petitioner's stay application for interim reliefs during pendency of the impugned said revision application is also kept pending.

3. The dispute in the present petition pertains to the mutation entry in respect of property bearing Survey No.61/7 (old Survey No.455) admeasuring 52 Ares and Survey No.26/2 (old Survey No.118) admeasuring 32.90 Ares situated at Thakarpada, Taluka Talasari, District Palghar.

4. It is the Petitioner's grievance that the said revision application along with stay application filed before the Respondent no.1 is pending consideration for last few months and in the event the same is not heard expeditiously grave prejudice would be caused to the Petitioner, as also will render the revision application and the stay application filed before Respondent no.1 infructuous.

5. In our view, considering the limited relief that the Petitioner seeks in the petition and although there being no written opposition/reply of the Respondents, considering the nature of order we propose to pass, no prejudice

would be caused to the Respondents. The following order would serve the ends of justice.

ORDER

- (i) Respondent no.1 is directed to hear the revision application filed by the Petitioner as expeditiously as possible and preferably within a period of six weeks from the date this order is made available to the Respondent no.1 by the Petitioner;
- (ii) It will be open to Respondent no.1 to consider and decide the stay application pending the revision application. Let appropriate orders be passed on the interim application within a period of three weeks from the date this order is made available to the said Respondent no.1
- (iii) All rights and contentions of the parties are expressly kept open;
- (iv) The Writ Petition is disposed of in above terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)