



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (W) NO. 1405 OF 2025

IN

WRIT PETITION NO. 2852 OF 2024

(Mohanlal Pirulal Jaiswal (since dead) through legal heirs vs. Ratanlal Maikulal Jaiswal (since dead) through legal heirs)

WITH

WRIT PETITION NO. 5156 OF 2024

(Suresh s/o Mohanlal Jaiswal and others vs. Smt. Sushilabai w/o Ratanlal Jaiswal and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Writ Petition No.2852/2024 :-

Mr. R. L. Khapre, Senior Advocate a/b Mr. A. J. Bhoot, Advocate for petitioner.

Mr. A.M.Ghare, Advocate for respondent Nos.1 to 6.

Mr. R.S.Sundaram, Advocate for respondent No.7.

Mr. A.A.Madiwale, AGP for respondent No.11.

Writ Petition No.5156/2024 :-

Mr. Nitin Vyawahare, Advocate for petitioner.

Mr. R.S.Sundaram, Advocate for respondent Nos.1 to 6.

Mr. Manoj Kumar Mishra, Advocate for respondent No.3.

Mr. A.A.Madiwale, AGP for respondent No.7.

CORAM : SIDDHESHWAR S. THOMBRE, J.

OCTOBER 08, 2025

- 1) Heard learned counsel appearing for the respective parties.
- 2) By these petitions the petitioners are challenging the order dated 18/01/2024 passed by Maharashtra Revenue Tribunal, Nagpur in REV/TNC/YAV-31/2021, whereby the learned Tribunal remanded the matter back to the Tahsildar.
- 3) It is admitted fact that though the orders impugned are challenged in the present writ petitions, but during this proceeding, there was no any stay granted by this Court and subsequently during

pendency of the present writ petitions and pursuant to the remand order, the Tahsildar heard the matter and decided it finally after giving opportunity of hearing to all the parties and passed the order dated 18/03/2025.

- 4) The petitioners by way of amendment, filed Civil Application No.1405/2025 and the order dated 18/03/2025 is being assailed in this petition.
- 5) Having heard learned counsel appearing for the respective parties, and without going into the merits of the matter, the order which is sought to be challenged by filing the Civil Application is already challenged by filing an appeal before the Sub Divisional Officer and copy of that appeal memo is also placed on record along with the reply filed to the Civil Application.
- 6) Therefore, considering the above mentioned facts, it is clear that after the matter is remanded back, the authority has decided the matter finally and statutory appeal is also filed thus, it is improper to consider the matter on merit. In view thereof, I am not inclined to entertain the present writ petitions.
- 7) In view of that Writ Petitions as well as Civil Application are dismissed by keeping all the points open.

(SIDDHESHWAR S. THOMBRE, J.)