



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

WRIT PETITION NO. 5763 OF 2025

ADV. MAHESH S/O. RAMESH DESHMUKH AND ANOTHER

...Vs...

BHIMRAO S/O MANIKRAO NATHE AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri R.L. Khapre, Sr. Advocate a/b. Shri R.G.Kavimandan, Advocate for petitioners.

Shri S.M.Ukey, AGP for respondents/State.

**CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.**

DATED : 29th SEPTEMBER, 2025.

As per the oral request, leave to amend the cause title in respect of respondent no. 6 is granted.

2. Amendment to be carried out forthwith.
3. Heard Shri R.L. Khapre, learned Senior Advocate.
4. In the present writ petition, the following prayers are being made:-

"i) direct Maharashtra Revenue Tribunal, Principal Bench, Mumbai to take appropriate decision on communication issued in pursuance to order dated 15/09/2025 (Below Ex.40) at Annexure-7 passed by Maharashtra Revenue Tribunal, Nagpur in MISC/TNC/AMR-33/2023 within a period of four weeks;

ii) stay effect operation and implementation of letter dated 09/09/2025 (Annexure-9) issued by Dy. Collector (Revenue) Amravati to Sub-Divisional Officer, Achalpur and also order dated 24/02/2023 passed by Sub-Divisional Officer, Achalpur (Annexure-3A) and also be pleased to stay effect operation and implementation of order dated 01/10/2021 (Annexure-1) passed by Tahsildar Bhatkuli, during the pendency of present petition as well as during the pendency of Revision Application filed by petitioners before Maharashtra Revenue Tribunal, Nagpur;

iii) restrain the respondents from interfering in peaceful possession of the petitioners over field S. No.17/2 situated at Hasnapur Pardi, during the pendency of present petition as well as during the pendency of Revision Application filed by petitioners before Maharashtra Revenue Tribunal, Nagpur;

iv) Alternatively direct the authority i.e. Maharashtra Revenue Tribunal to decide the Condonation of Delay application bearing MISC/TNC/AMR-33/2023, Stay Application and Revision Application filed by the petitioners in accordance of law by giving opportunity of hearing to all the parties;

v) ad-interim relief in terms of prayer Clause-(ii) & (iii) during the pendency of present petition

vi) Grant any other relief in the facts and circumstances of the case, which this Hon'ble Tribunal may deem fit and proper in the interest of justice."

5. The prayer Clause no. (i) is sought in view of the order passed on 15/09/2025 by Member, MRT, which reads thus,

"Seen. It seems that the Respondent No. 1 has no faith on me. The matter is already referred to Hon'ble President MRT Mumbai for transferring this matter to any other bench. Hence, filed."

6. Considering that, from 15/09/2025 as alleged by the petitioners, there is no decision for transferring the matter to any other Bench, we are of the opinion that, if the prayer Clause (i) is granted, the purpose of filing of the petition will be served.

7. Accordingly, we **dispose of** the present writ petition with direction to the respondent no. 6 to take a decision as per the order passed by respondent no. 5 dated 15/09/2025 within a period of one week from today.

8. Accordingly, if the matter is transferred, the concerned Tribunal shall take into consideration the application moved by the petitioners for interim relief, within a period of fifteen days thereafter.

9. The learned counsel for the petitioners undertakes to communicate this order to respondent no. 6 within a period of three days from today.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

B.T.K.