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

**WRIT PETITION NO.7664 OF 2025**

SHANTABAI RAMCHANDRA SHEVNE THR. P.O.A. SHRI. PRABHAKAR SHEVNE
*VERSUS*
LAXMIBAI PRALHAD RATHOD 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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Mr. S.V. Sohoni, Advocate for Petitioner.
Mr. N.S. Autkar, AGP for Respondent Nos.3 & 4-State.

**CORAM : PRAFULLA S. KHUBALKAR, J.**
**DATED : $05^{th}$ DECEMBER 2025**

1. Heard learned Advocate for the petitioner.

2. The petitioner has challenged the order dated 04.09.2025, passed by respondent No.3 Tahsildar, Khamgaon, Dist. Buldhana, in the proceedings under Section 36-A of the Maharashtra Land Revenue Code, 1966.

3. The petitioner has stated in the petition that she has challenged the impugned order by way of an appeal before respondent No.4 Maharashtra Revenue Tribunal, Nagpur Bench, Nagpur vide APL/S.T. Resto/BUL-22/2025. It is pointed out that there is no presiding officer on the Tribunal at Nagpur Bench and the

matters are being taken up by the Tribunal at Aurangabad Bench. It is also pointed out that the petitioner has filed an application dated 25.11.2025, before the Tribunal at Nagpur Bench, for grant of hearing before the Tribunal at Aurangabad Bench. However, the matter was not sent to Tribunal at Aurangabad Bench and hence, the petitioner was not able to prosecute the appeal before the Tribunal at Aurangabad Bench.

4. Learned Advocate for the petitioner submits that the petitioner is in possession of the suit property since the year 1985, and by virtue of impugned order, there is an apprehension of disturbance to her possession. It is pointed out that, although a statutory appeal is filed by the petitioner before the Maharashtra Revenue Tribunal, the petitioner is not in a position to prosecute the appeal.

5. Under such circumstances, considering the fact that the statutory appeal is already filed by the petitioner challenging the impugned order, the instant petition need not be entertained.

6. The petitioner is at liberty to prosecute the appeal before the Maharashtra Revenue Tribunal at Aurangabad Bench. In view of the circumstances pointed out, it is directed that the officials of respondent No.4 Maharashtra Revenue Tribunal, Nagpur Bench,

Nagpur, shall take steps to put up the petitioner's appeal before the Tribunal at Aurangabad Bench, in any case, within a period of one week from the date of uploading this order on the High Court's website, so that the appellant will be in a position to prosecute the appeal and seek appropriate orders, if required.

7. Considering the above mentioned aspects, the possession of the petitioner is protected for a period of one week from the uploading of this order on the High Court's website.

8. In view of this, the Writ Petition is disposed of.

**(PRAFULLA S. KHUBALKAR, J.)**

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