



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

Writ Petition No. 3049 of 2024
Ganeshdas Bhvraj (H.U.F.) and others Vs. State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. D.R.Khapre, Advocate for petitioners.
Mr. A.A.Madiwale, AGP for respondent no.1.

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 14/10/2025.

1. Heard Mr. D.R.Khapre, learned counsel for the petitioners and Mr. A.A.Madiwale, learned AGP for respondent no.1.

2. The petitioners have assailed the impugned order dated 14.02.2024 passed by the learned Joint Civil Judge Senior Division, Khamgaon, in L.A.R. Case No.50/2017, whereby the application filed by the petitioners seeking stay of proceedings was rejected. The stay was sought on the ground that Regular Civil Suit No.47/1999 is pending. The proceedings under Section 18 of the Land Acquisition Act, 1894 are pending before the Civil Judge, Jr. Dn. Shegaon wherein the issue of title is to be decided by the competent authority.

3. The learned counsel for petitioners pointed out that in the order it is recorded that though, both the parties were absent at the time of hearing, the learned Trial Court has taken reasonable view. The petitioners have, therefore, prayed that the order below Exhibit 23 be set aside.

3. Considering the fact that at the time of hearing of the application, both parties were not present, and as the issue of title was to be decided by the competent authority, the learned

Trial Court has passed a well reasoned order.

4. In view thereof, I am not inclined to interfere in the impugned order in exercise of powers under Article 227 of the Constitution of India.

5. Writ Petition stands disposed of accordingly.

(Siddheshwar S. Thombre, J)

mukund ambulkar