



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

WRIT PETITION NO.3745/2025

**Vijaykumar Badridas Agrawal Vs. Amol Shridhar Thakre and
another**

Office Memoranda Appearances, directions orders	Notes, of Court's orders and Registrar's orders	Office Coram, orders or Registrar's orders	Court's or Judge's orders
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Mr. S.M. Vaishnav, Advocate for Petitioner

CORAM: ANIL L. PANSARE, J.

DATED : 18th JULY, 2025

1. The application filed by the petitioner to add him as party defendant was rejected on the count that he is not in possession of the suit property. The counsel for the petitioner submits that the suit plot was initially allotted to him. The lease has expired. The same was not renewed by the Sub-Divisional Officer, Khamgaon. The petitioner challenged the order before the Collector, Buldhana, which came to be rejected. The concurrent findings have been challenged before the Divisional Commissioner, which is pending consideration.

2. The argument is that since the appeal is pending, the rejection to continue the lease in favour of the petitioner has not attained finality and, therefore, the Court could not have come to the conclusion that the petitioner has no nexus with the suit plot.

3. The petitioner has not filed copy of the appeal and, therefore, the AGP was requested to take instructions as regards status of the appeal. I am informed that the Divisional Commissioner has issued letter to the petitioner to appear in appeal saying that he is continuously absent.

4. Thus the appeal is delayed at his instance. The counsel for the petitioner submits that the finding that the petitioner is delaying appeal is incorrect. He seeks time to file copy of appeal memo and roznama of the proceedings.

5. The petitioner shall, accordingly, place on record copy of appeal memo and roznama of the proceedings pending before the Divisional Commissioner.

6. AGP shall also seek instructions from the Divisional Commissioner for the delay in deciding appeal.

7. List on 25.07.2025.

(ANIL L. PANSARE, J.)

MP Deshpande