IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO. 10824 OF 2026

GANGADHAR PANDURANG SONUNE DIED THR LRS SUNITA G SONUNE AND ANOTHER
VERSUS
DILIP SAKHARAM DHAWASE AND OTHERS

...
Advocate for the Petitioners : Mr. Patil Hanmant V.
Advocate for Respondent No. 1 : Mr. D.P. Palodkar
...

CORAM : SMT. MANJUSHA DESHPANDE, J.
DATE : 07.10.2026

PER COURT :

1. The petitioner is challenging the order dated 23.12.2025 passed by the learned Member of Maharashtra Revenue Tribunal, Chhatrapati Sambhajinagar in case No. 08-A-2016-Hingoli, wherein an application filed by respondent Nos. 1 and 2 herein came to be allowed and the petitioners were restrained from alienating the land or any part of the land Gut No. 198 and 203 situated at at village Phalegaon , District Hingoli and they were also restrained from creating any third party interest.

2. The learned Advocate for the petitioner submits that on 07.08.2025 the matter was directed to be listed for final hearing on 04.09.2025, therefore, it was expected that the matter should be listed.

However, respondent Nos. 1 & 2 had filed an application seeking restrain order against the petitioner on 04.09.2025 i.e. the day on which the final hearing was itself scheduled. Inspite of the fact that the matter was listed for final hearing, the learned Member of the of Maharashtra Revenue Tribunal has allowed the application of respondent Nos. 1 & 2 causing prejudice to the petitioner. It is submitted that at the stage of final hearing such order restraining the petitioner could not have been passed.

3. The learned Advocate for respondent Nos. 1 & 2 would submit that the petitioners were alienating the suit land during the pendency of the appeal, therefore, the respondents were constrained to file an application restrainig to the petitioners.

4. I have heard the parties and also perused the order dated 23.12.2025.

5. The learned Member of of Maharashtra Revenue Tribunal in view of the apprehension of respondent Nos. 1 & 2 that the petitioner may further alienate the suit land, passed an order of restraint to alienate the land till the disposal of appeal. Although the appeal was at final hearing stage, the order of restrain has been passed, in the peculiar situation where the petitioner had already alienated some lands, thus, no error can be found in the order passed by the learned of Maharashtra

Revenue Tribunal. More than one year has lapsed since then and the final hearing could not take place, as such the protection granted by the Maharashtra Revenue Tribunal proves to have been rightly granted. Therefore, I do not propose to interferere in the order passed by the Maharashtra Revenue Tribunal, Chhatrapati Sambhajinagar. while disposing the Writ Petition. However, I would request the learned Member of the Maharashtra Tribunal, Chhatrapati Sambhajinagar to decide the pending appeal No. 08-A-2016-Hingoli, preferably within a period of six months from this order.

6. The Writ Petition is disposed of.

(SMT. MANJUSHA DESHPANDE, J.)

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