



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

938 WRIT PETITION NO. 368 OF 2026

AKBAR AKLAKH SHAIKH

VERSUS

THE ADDITIONAL DIVISIONAL COMMISSIONER AND OTHERS

...

Mr. R. N. Dhorde, Senior Advocate i/b Mr. A. M. Jaju, Advocate for the  
Petitioner

Mr. S. R. Yadav-Lonikar, AGP for Respondent/State

Mr. A. A. Khande, Advocate for Respondent No.6

**CORAM : S. G. CHAPALGAONKAR, J.**

**DATED : 21<sup>st</sup> JANUARY, 2026**

**P. C. :-**

1. The present Writ Petition takes exception to the order dated 24.12.2025 passed by learned Additional Divisional Commissioner at Chhatrapati Sambhajinagar in ROR/Revision No. 382 of 2025, whereby Petitioner's application for grant of stay to the order passed by Additional Collector, Dharashiv in Case No.2023/RTS/250 has been rejected.

2. The Petitioner claims that he has purchased suit property under a registered sale deed dated 05.01.2023. The mutation entry dated 25.01.2023 was effected in his favour. Respondent No.6 claims that he had an agreement to sell in relation of suit property prior in point of time, hence asserted his rights by filing a suit and raised challenge to sale deed. In that suit, Trial Court has granted temporary injunction restraining Petitioner as well as his

vendor from alienating or creating third party interest in suit property.

3. In light of aforesaid backdrop, when dispute between parties is *sub judice* before Civil Court, this Court would not delve into merits of contentions of parties as regards legality of mutation entry. Pertinently, proceeding regarding mutation entry is sub judice before Additional Divisional Commissioner in ROR/Revision No. 382 of 2025. On 14.01.2026, at first hearing of present petition, this Court directed parties to maintain status-quo as to the mutation entry. In that view of matter, present writ petition can be disposed of by following order.

#### **ORDER**

(i) The learned Divisional Commissioner, Chhatrapati Sambhajinagar shall expeditiously decide ROR/Revision No. 382 of 2025 and in any case within a period of four months from today.

(iii) Till disposal of Revision Application, status-quo as to the mutation entry as it was on 14.01.2026 shall be maintained.

(iv) Parties to cooperate for early disposal.

(v) Needless to state that this Court has not expressed any opinion on merits of the contentions of the parties and learned Divisional Commissioner shall take his decision on its own merits.

**(S. G. CHAPALGAONKAR, J.)**

ssp