

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1794 OF 2026

Aditya S. Dhopatkar.

...Petitioner.

Versus

Sub Divisional Officer, Rajapur and Others.

...Respondents.

Mr. Viabhav R. Gaikwad for the Petitioner.

Mr. V. A. Naik, AGP for the Respondent-State (Respondent No. 1 to 3).

**Coram : Madhav J. Jamdar &
Pravin S. Patil, JJ.**

Date : April 21, 2026.

P. C. :

1. Heard Mr. Vaibhav Gaikwad, learned Counsel appearing for the Petitioner and Mr. Naik, learned AGP for Respondent-State (Respondent Nos.1, 2 and 3).
2. It is the main submission of Mr. Gaikwad, learned Counsel appearing for the Petitioner that by filing a revision application under Section 23(2) of the Mamlatdar's Court Act, 1906, the Petitioner has assailed the legality and validity of the order dated 1st December 2025 passed by Tahsildar @ Executive Magistrate, Lanja. The said revision has been filed before the Sub Divisional Officer, Rajapur.
3. Mr. Gaikwad further submits that though the said revision is pending, on 20th April 2026 Petitioner has been served with a notice

dated 17th April 2026 informing that order dated 1st December 2025 would be executed on 27th April 2026. He submits that therefore the Petitioner again immediately moved the SDO, Rajapur, however, the SDO Rajapur is not available. He submits that opportunity is required to be given to the Petitioner for obtaining ad-interim relief in the pending revision before the SDO.

4. We find some force in the submission of Mr. Gaikwad, learned Counsel appearing for the Petitioner.
5. In view of the order which is being passed, no notice is required to be issued to the Respondent No. 4 to 7.
6. Writ petition is disposed of by passing following order :

:- O R D E R :-

[I] Tahsildar @ Executive Magistrate, Lanja shall postpone the implementation of order dated 1st December 2025 from 27th April 2026 to 4th May 2026.

[ii] The Sub Divisional Officer, Rajapur to take up for consideration the application filed by Petitioner in pending revision, seeking stay of the order dated 1st December 2025. The Sub Divisional Officer, Rajapur shall consider taking up decision regarding grant of ad-interim relief by 30th April 2026.

[iii] Petitioner to appear before the SDO, Rajapur on 24th April 2026 with a copy of this order.

[iv] No order as to costs.

7. It is clarified that this Court has not considered merits of the matter and all contentions with respect to the said revision as also the application seeking ad-interim/interim stay of order dated 1st December 2025 passed by Tahsildar, Lanja are expressly kept open.

8. Writ petition stands disposed of.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]