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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.372 OF 2024

Sitaram Rajaram @ Rajaba Revane and others ... Petitioners
Vs.
Jayant Dhondur Revane and others ... Respondents

Mr. Tanmay Shembhavnekar a/w. Mr. Suhas S. Deokar for Petitioners.
Mr. R. S. Pawar, AGP for Respondent No.6 - State.

**CORAM: MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE: 24th FEBRUARY 2026

P.C.

1. On 16/02/2026, this Court had passed the following order in this
Petition:

“ By this petition, the petitioners have challenged order dated 11.10.2023 passed by the respondent No.6 - Sub-Divisional Officer and Land Acquisition Officer, whereby objections raised by the petitioners regarding disbursement of compensation amount to respondent Nos.1 to 5 was rejected.

2. The record shows that this petition was filed as far back as in November 2023 and that, it was not circulated even once for consideration of this Court.

3. Apart from this, we find that the respondent No.6 in the impugned order, after rejecting the objection raised by the petitioners, also directed that the compensation amount be disbursed in favour of persons whose names are found in the revenue record i.e. 7/12 extracts. By this time, the compensation amount may have already been disbursed.

4. On a pointed query put to the learned counsel for the petitioners as to whether any proceeding was pending before a

Civil Court when the impugned order was passed, it was stated that no such proceeding was pending. But after the impugned order was passed, the petitioners approached the Civil Court by filing a suit. The details of the said proceedings are not available today with the learned counsel appearing for the petitioners.

5. We are of the opinion that if such suit has been already filed before the Civil Court, nothing much remains in this petition and that, it can be disposed of by issuing appropriate directions.

6. Learned counsel for the petitioners seek short adjournment to take instructions and to inform this Court about the pending suit before the Civil Court. Hence, list on 24.02.2026 in the supplementary list

2. Today, learned Counsel for the Petitioners has taken instructions and he informed this Court that after the impugned order dated 11/10/2023 was passed, on 09/12/2024 the Petitioners filed Regular Civil Suit No. 425 of 2024 before the Court of Civil Judge, Senior Division, Panvel being a suit for partition and separate possession, wherein the Respondent Nos. 1 to 5 have been shown as Defendants.

3. We find that, at the point in time when the impugned order was passed on 11/10/2023, there was no proceeding pending before the competent Civil Court and the Sub-Divisional Officer i.e. Respondent No. 6 proceeded to direct disbursal of the compensation amount in favour of the Respondent Nos. 1 to 5, whose names were found on the 7/12 extract.

4. The suit was subsequently filed and the same is pending. This Court cannot at this stage comment upon the rights of the rival parties. It is also

an admitted position on facts that the amount of compensation has been already disbursed in favour of the Respondent Nos. 1 to 5 in pursuance of the impugned order dated 11/10/2023.

5. Therefore, we are not inclined to entertain the present Writ Petition, as we are of the opinion that the Petitioners can file appropriate applications for any interim relief, if any, before the aforesaid Court where the Suit filed by the Petitioners is pending.

6. In view of the above, the Writ Petition is disposed of with liberty to the Petitioners to institute appropriate Application/proceedings in the pending Civil Suit before the Court of Civil Judge, Senior Division, Panvel in R.C.S No. 425 of 2024 to seek necessary directions in respect of compensation amount already disbursed in favour of the Respondent Nos. 1 to 5.

7. We do not express any opinion on the merits of the matter and if the Petitioners move such proceedings, the concerned Court shall deal with the same on their own merits.

8. Pending interim applications, if any, are also disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)