

V/s.

The State of Maharashtra through it ... Respondents
District Collector Nashik and Ors.

Mr. Vinayak P. Narwade, for the petitioner.

Mr. P.V. Nelson Rajan, AGP, for the respondent nos. 1 to 4.

Mr. Sandeep Shinde, for the respondent no. 5.

CORAM : N.J. JAMADAR, J.

DATE : 16th SEPTEMBER 2025

PC:

1. Heard the learned counsel for the petitioner.
2. The learned counsel for the petitioner, on instructions, seeks leave to withdraw the petition with liberty to file an application before the trial Court to amend the plaint and thereafter seek appropriate reliefs.
3. Learned counsel submits that in the intervening period, on 21st August 2025 a notice has been served on the petitioner to execute the order passed by the Tahsildar under section 5 of the Mamletdar's Courts Act with the police assistance and, thus, interim protection be granted to the petitioner.

4. Learned counsel for the respondent opposes the prayer.
5. Since the trial Court had initially granted injunction and the petitioner intends to file an application to amend the plaint and seek further appropriate reliefs, to advance the cause of substantive justice, the interim protection deserves to be granted for a period of three weeks.
6. The petition, thus, stands dismissed as withdrawn with liberty to file an application for amendment in the plaint and seek further appropriate reliefs before the Civil Court.
7. To facilitate the petitioner to file such an application the execution, operation and implementation of the order passed by the Tahsildar on 9th May 2024 shall remain stayed for a period of three weeks only.
8. This order is passed only to facilitate the petitioner to approach the trial Court and while deciding the application for amendment and further reliefs the trial Court shall not be influenced by the fact that this Court has stayed the execution of the order dated 9th May 2024 passed by the Tahsildar.

(N.J. JAMADAR, J)