

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11733 OF 2025

BHALCHANDRA
GOPAL
DUSANE

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Date: 2025.09.08
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Mangal Rajendra Kamthe & Anr.

...Petitioners

Versus

Tahshildar, Purandhar & Anr.

...Respondents

Mr. L.S. Deshmukh i/by Mr. Shivaji Masal, Advocate for Petitioners
Mrs. Vaishali S. Nimbalkar, AGP for State.

CORAM: MADHAV J. JAMDAR, J.

DATED : 8th September 2025

P.C.:

1. Not on board. Taken on Board.
2. As the regular Bench is not available today, the matter is moved before this Court.
3. The challenge in this Writ Petition is to be Order dated 7th July 2025 passed by the Tahsildar, Purandhar, Taluka- Purandhar, District-Pune.
4. Mr. Deshmukh, learned Counsel appearing for the Petitioners states that the urgency is that the Circle Officer, Velu, Taluka-Bhor, District-Pune has issued notice dated 5th September 2025 for implementation of the impugned Order today i.e. on 8th September 2025. He states that as production is granted by this Court, the Circle Officer has not taken further steps.

5. Ms. Nimbalkar, learned AGP appearing for Respondent No.1 raises preliminary objection to the maintainability of the Writ Petition. She submits that the impugned Order challenged in this Writ Petition is passed by Tahsildar, Purandhar dated 7th July 2025 in proceedings filed under Section 5(2) of the Mamlatdar's Court Act, 1906. She states that there is an alternate remedy of filing revision under Section 23(2) of the said Act.

6. In view of said preliminary objection raised by the learned AGP for Respondent No.1, Mr. Deshmukh, learned Counsel appearing for the Petitioners seeks withdrawal of the Writ Petition with liberty to file revision under the provisions of Mamlatdar's Court Act.

7. To give opportunity to the Petitioners to adopt appropriate proceedings, the Circle Officer, Velu, Taluka Bhore shall not take coercive steps till 30th September 2025. Thus, in effect the impugned Order shall not be implemented till 30th September 2025.

8. It is clarified that this Order is passed just to give opportunity to the Petitioners to avail alternate remedy of filing revision as provided under the Mamlatdar's Court Act. It is further clarified that this Court has not considered the merits and all

contentions on merits as well as whether the Petitioner is entitled for any ad-interim/ interim relief are expressly kept open.

9. Accordingly, Writ Petition is allowed to be withdrawn with liberty as aforesaid and subject to above.

(MADHAV J. JAMDAR, J.)