



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.7412 OF 2025

Madhav U. Khadse & Ors. **Vs.** The Sub Divisional Officer, Washim & Ors.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.N. Ghuge, Advocate for the Petitioners.
 Ms. K.H. Bhondge, AGP for the Respondent Nos.1 and 2/State.
 Mr. Kaustubh Deogade, Advocate for Respondent Nos.3, 4, 12, 23 and 25.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 04th MAY, 2026

1. Heard learned counsel for the petitioners as well as learned counsels for respondents.
2. It is pointed out that several respondents have refused to accept notice and some of the respondents are reported to be dead. In view of the order, which this Court proposes to pass, the matter is taken up for consideration.
3. Petitioners' challenge in the instant petition is to the order dated 06.11.2025 passed by the Sub-Divisional Officer, Washim on an application for stay, by which the Sub-Divisional Officer, Washim has rejected the stay application only on the ground that there is no provision for grant of interim stay.
4. It is pointed out that petitioners have filed the revision application under the provisions of Mamlatdar Courts Act, 1906, before the Sub-Divisional Officer, which is a Revisional Authority, in which, the order dated 27.10.2025 passed by the Mamlatdar Court, was subjected to challenge. Alongwith the

revision application, the petitioners had also filed an application for stay, which came to be rejected by the impugned order.

5. In response to the notice in the instant petition, Advocate Mr. Deogade, appears on behalf of some of respondents and his primary submission is that the order dated 06.11.2025 on the stay application was passed even before the petitioners had filed any substantive revision application and as such, occasion to grant any interim relief was not there before the Revisional Authority.

6. Be that as it may. It is pointed out that the substantive revision application is now pending before the Sub-Divisional Officer, Washim bearing Revision No.एस.सी.ए-५/मेडशी/१३/२०२५-२०२६. It is also pointed out that only because the instant petition is pending, the Revisional Authority has closed the proceedings of the revision application and as a result, the same is not decided on merits.

7. Considering the fact that the challenge in the instant petition is only to an interim order rejecting the application for grant of stay, in my opinion, instead of entertaining the instant petition on merits, it is desirable that the substantive revision application is directed to be decided, so that the contentions canvassed on merits could be adjudicated by the Revisional Authority.

8. In view of this, the writ petition is **disposed of** with a direction to respondent No.1-The Sub-Divisional Officer, Washim, Tah. And Distt. Washim, to decide the revision application bearing Revision No.एस.सी.ए-५/मेडशी/१३/२०२५-२०२६, expeditiously and preferably within a period of two months from today. The contentions canvassed on behalf of both the parties are kept open.

9. It is also directed that the interim order passed by this Court by an order dated 28.11.2025 directing the parties to maintain status-quo, shall continue to operate till the decision of the substantive revision application. No costs.

(PRAFULLA S. KHUBALKAR, J.)

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