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

WRIT PETITION NO.299 OF 2026

SANJAY S/O KISANRAO RATHOD AND ORS.
VS
THE STATE OF MAHARASHTRA, THR. SECY., REVENUE DEPARTMENT, MUMBAI AND ORS.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	*Court's or Judge's orders*

Mr. A.V. Bhide and Mr.Sunil Kulkarni, Advocates for the petitioner/s
Ms T.H. Khan, AGP for the respondent/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATE : 14.01.2026

1. Heard the learned counsel for the petitioners and the learned AGP for the respondent/State.

2. The petitioners seek challenge to the order passed by the Sub-Divisional Officer (SDO), Karanja, dated 06.11.2025 in case No. TNC-43/Somthana/01/2024-25 and thereby, seek remand of the matter before the respondent No.3-Tahsildar, Karanja for passing final order in the Original Application.

3. The petitioner also seek stay to the effect, operation and implementation of the order passed by the SDO, Karanja, dated 06.11.2025.

4. So far as the prayer clause (i) is concerned, the petitioners have already approached before the Maharashtra Revenue Tribunal (MRT) vide Revenue Revision No.54 of 2025 (page 93) seeking challenge to the aforesaid order dated 06.11.2025 passed by the SDO, Karanja.

5. The said revision is pending. However, so far as the issue of grant of interim relief is concerned, we are inclined to consider the matter, for the reason that although the revision was filed on 16.12.2025, the application seeking stay has not been decided till date by the learned MRT, Sambhajinagar.

6. The petitioners, being tenants, had approached before the Tahsildar by initiating proceedings under the Vidarbha Tenancy and Agricultural Lands Act, 1958, seeking protection as tenants.

7. The respondent No.4-Landlord Trust had raised a preliminary objection as to the maintainability of the aforesaid proceedings filed by the petitioners before the Tahsildar. The aforesaid preliminary objection was dealt with and rejected by the Tahsildar vide order dated 26.06.2025, which is at record (page 44).

8. The respondent No.4 being aggrieved by the aforesaid rejection of the preliminary objection, filed Revenue Revision under Section 107 of the Act of 1958, before the SDO, Karanja.

9. The SDO, Karanja instead of deciding the validity and correctness of the order passed by the Tahsildar, rejecting the preliminary objection, by its order dated 06.11.2025, proceeded to decide the matter entirely on merits and issued various directions under clauses (1) to (6) of the operative part. *Prima facie*, in our considered view, the Sub-Divisional Officer has exceeded its jurisdiction.

10. In view of the above, we propose to dispose of the present writ petition with following order:

(i) The present writ petition is **partly allowed** in terms of prayer clause (ii).

(ii) There shall be stay to the effect, operation and implementation of the order dated 06.11.2025 passed by the Sub-Divisional Officer, Karanja during the pendency of the Revenue Revision No.54 of 2025 before the Maharashtra Revenue Tribunal, Sambhajinagar, filed by the petitioners.

(ii) The learned Maharashtra Revenue Tribunal, Sambhajinagar is directed to decide the Revenue Revision No.54 of 2025 on its own merits, without getting influenced by the present order.

Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.) **(ANIL S. KILOR, J.)**