



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

WRIT PETITION NO. 3274 OF 2026

Mohd jamir Sheikh Aziz and Others
Vs.
Tahsildar, Digras, Yavatmal and Others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Sajid G. Varshani, Advocate for the Petitioners.
Ms. T.H. Khan, AGP, for the Respondent-State.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATE : 21st APRIL, 2026.

1. Heard learned counsel for the petitioners.
2. The petitioners seeks challenge to the the impugned notices dated 05.03.2025 and 02.04.2025 which are at record page No.37 Annexure-E and page No.38 Annexure-F respectively.
3. The perusal of the aforesaid notices reveal that such notices are issued by the respondent authorities for compliance of the order dated 26.05.2009 passed by the respondent No.1-Tahsildar, Digras, Dist. Yavatmal.
4. The contention is that such notices of compliance of the aforesaid order ought not to have been issued by the respondent, as the said order was challenged in Regular Civil Suit No.64 of 2009.

5. The aforesaid civil suit was compromised between the parties in Lok Adalat on 06.02.2011. The award passed by the Lok Adalat is at record page No.22 Annexure-C.

6. Learned counsel for the petitioners submits that in view of the settlement, the execution of the aforesaid order dated 26.05.2009 cannot be taken to its logical end and hence, the aforesaid notices dated 05.03.2025 and 02.04.2025 are erroneous. However, it appears that the petitioners have not approached the respondent authorities by pointing out such factual matrix and have directly approached this Court seeking challenge to the aforesaid notices.

7. In view of the above, learned counsel for the petitioners submits that the petitioners will approach the respondent authorities by submitting a detailed representation in pursuance of the aforesaid notices pointing out all the subsequent developments, after the order dated 26.05.2009 passed by respondent No.1- Tahsildar. If such representation is made by the petitioners within a period of two weeks from today, the respondents, more specifically respondent No.1- Naib Tahsildar, Digras, Yavatmal is directed to consider the aforesaid representation and decide on its own merits and in accordance with law within a stipulated period of 12 weeks from the date of submission of the representation by the petitioners.

8. The decision taken thereupon shall be communicated to the petitioners within a period of two weeks thereafter.

9. The respondent No.1 is also directed to consider the request for grant of stay to such notices on the first day of hearing, if such application for grant of stay is filed by the petitioners.

10. Writ Petition is accordingly disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)