

Cri. Revision Appln. No. 14/2025

Raju Pacharne Vs. State & ors.

ORDER BELOW EXH.4

The applicant Raju Tukaram Pacharne has filed present revision application as per Section 438 of BNSS and challenged the order dated 24/05/2025 passed by Special Executive Magistrate in Court Case No. 3/2025. By way of this application he prayed for grant of stay to the execution and operation of the said order.

2] Heard learned advocate for the applicant, perused the copy of order and documents produced by the applicant.

3] On perusal of copy of order, it appears that Malaunge MIDC police station submitted report in respect of dispute regarding old Survey No. 1 and new Gat No. 1/2 within vicinity of village Kuruli. There is dispute between the applicant and respondent No. 3 to 5 regarding the said property. As per order dated 24/05/2025, Senior police inspector of Mahalunge MIDC police station is directed to take possession of the disputed area and protect the same till the decision of competent Court regarding the disputed area. The applicant is permitted to make alternative arrangement till 06/06/2025. It appears that, the applicant is in possession of the disputed property since 1956. It is the sole property for him his family members. After considering the right of applicant to damage the order passed by Executive Magistrate, interim stay to the execution of the said order can be granted till next date. Hence, I pass following order -

ORDER

- 1) The execution and operation of order dated 24/05/2025 passed by Special Executive Magistrate in Court Case No. 3/2025 is stayed till 13/06/2025.
- 2) Issue notices to the respondents r/o. 13/06/2025.

Khed.
Date: 05.06.2025

(S. P Pol)
I/c. District Judge-2 &
Addl. Sessions Judge,
Khed-Rajgurunagar,
Dist. Pune.

CERTIFICATE

“I affirm that the contents of this P.D.F. file Judgment are same word for word as per original Judgment.

Name of steno : Shri. S.S. Shirode
(Stenographer Grade-II)
Court Name : Shri. S.P. Pol
I/c. District Judge-2 & Addl. Sessions
Judge Khed Rajgurunagar, Pune.
Date of Judgment : 05/06/2025.
Judgment signed by
Presiding Officer on : 05/06/2025.
Judgment uploaded on : 05/06/2025.