

MHQA070006962025



Order below Exh.22 in Criminal Revision
NO.29/2025
(Ram Vs. State of Maharashtra & ors.)

Perused application. Heard learned advocate for the revision petitioner. The revision petitioner has prayed for suspension of further effect of operation and proceeding of the unauthorized entry of death certificate of Govind Laxman Chidrewar recorded by respondent No.2 in the record of birth and death register of respondent No.3 vide registration No.D202627902050000066 dated 04.02.2026 on the interim order of learned JMFC, Udgir in Criminal MA No.764/2020 dated 27.10.2025 during pendency of the criminal revision.

2) The revision petitioner had challenged the said order upon various grounds mentioned in the revision petition. It is stated that respondent No.2 appeared in the matter and filed his say to the earlier stay petition below Exh.13 on 08.12.2025. Thereafter he filed pursis below Exh.14 in Court stating that he will not proceed in Municipal Council, Udgir for obtaining death certificate of deceased as per order of learned JMFC in Cri.MA No.764/2020.

3) However, it is submitted that during pendency of revision petition respondent No.2 and 3 in collusion with each other unauthorizely recorded death of deceased Govind Laxman Chidrewar which is already under challenge before this Court.

Hence, the revision petitioner filed present application to suspend further effect and operation of death certificate issued by respondent No.3.

4) On this application say of respondent No.1 to 3 was called. It is stated that respondent No.1 is formal party. However, respondent No.2 and 3 failed to file say to the present application. Hence, no say order against them was came to be passed on 21.07.2026.

5) The learned advocate for the revision petitioner vehemently submitted that he has got every hope of success in the revision. Therefore, if the impugned entry is not stayed the purpose of filing of revision petition will be frustrated. Moreover respondent No.2 committed breach of his own pursis. Therefore, the revision petitioner is entitled for stay of the impugned order. On the contrary, if the stay is not granted the multiplicity of litigation and irreparable loss to the revision petitioner can not be ruled out. I do find substance in this contention. The record and proceeding shows that vide pursis (Exh.14) respondent No.2 stated that he will not proceed with Municipal Council, Udgir for obtaining death certificate of deceased. But record shows that respondent No.3 has issued death certificate as per order of the learned JMFC in Criminal MA No.764/2020. However, it is not clear whether respondent No.2 applied to respondent No.3 for obtaining the death certificate as per order of the Court. But whatever the case may be, the death certificate is issued by respondent No.3 of the deceased which is subjudice before this Court. Therefore, if the impugned order and subsequent development of the effect of unauthorized entry of death certificate is not stayed it will cause substantial loss to the

revision petitioner. Hence, I am inclined to allow the application and pass the following order.

Order

- 1) The application is allowed.
- 2) The effect, operation of the entry of death certificate of Govind Laxman Chidrewar recorded by respondent No.2 in the record of birth and death register vide registration No..D202627902050000066 dated 04.02.2026, as per order of the learned JMFC, Udgir in Criminal MA No.764/2020 dated 27.04.2025 is stayed/suspended till decision of the revision petition.
- 3) The hearing of revision petition is expedited.
- 4) Inform learned trial court accordingly.

Date : 07.08.2026

(L.G.Pachchhe)
I/C Additional Sessions Judge, Udgir