

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (ST.) NO. 93110 OF 2020**

Nivrutti Sakharam Mate and anr. Petitioners
v/s.
The State of Maharashtra and ors. Respondents

Mr. Sachin S. Gite for the Petitioners.
Mrs. M.S. Bane, AGP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATE : 24th SEPTEMBER, 2020.**

P. C. :-

. Mrs. M.S. Bane, learned AGP waives service on behalf of the Respondent Nos.1 to 3-State. Mr. Gite, learned counsel for the Petitioners submits that Respondent Nos.4 to 6 and 10 have been served with notice and that the other Respondents have refused to accept the same. He undertakes to file affidavit of service within two days.

2. The Petitioners have challenged the order dated 15/04/2019 passed under Section 5 of the Mamlatdars Court Act in Vahiwat Case No.22 of 2011. Mr. Sachin Gite, learned counsel for the Petitioners submits that the Circle Officer has already issued a notice dated 08/09/2020 for executing the order and that the execution is scheduled tomorrow i.e., 25/09/2020.

3. Considering the urgency in the matter, operation, implementation and execution of the impugned judgment and order dated 03/06/2017 passed by the learned Election Naib Tahasildar in Vahiwat Case No.22 of 2011, is stayed till the next date of hearing.

4. Issue fresh notice to the Respondent Nos.4 to 10, returnable on 07th October, 2020.

5. Stand over to 7/10/2020.

(SMT. ANUJA PRABHUDESSAI, J.)