

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11649 OF 2025
IN
WRIT PETITION NO.3438 OF 2023

Vaman Mahadu Chaudhari (since deceased
through legal heirs) Parvta Vaman Chaudhari Applicants/
and Ors. .. Petitioners

Versus

Ramchandra Raghunath Chandratre and Ors. .. Respondents

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- Ms. Poonam Pal, Advocate i/by Mr. Sachin Hande for Applicants /
Petitioners.
 - Mr. Nikhil M. Pujari, Advocate for Respondent No.1.
 - Mr. P. G. Sawant, AGP for Respondent No.6.
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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 22, 2025

P.C.:

1. Heard Ms. Pal, learned Advocate for Applicants / Petitioners;
Mr. Pujari, learned Advocate for Respondent No.1 and Mr. Sawant,
learned AGP for Respondent No.6.

2. Though there is an ambiguity in the prayer clause in the
Interim Application in paragraph No.20 of page No.11 since
Applicant / Petitioner has not prayed for setting aside of the order
dated 24.03.2025, Ms. Pal would submit that according to her
instructions, Petitioners are in possession of the subject properties.
Hence she would submit that Petitioners have prayed for stay of the
order dated 24.03.2025 including the notice dated 01.09.2025.

- 3.** *PER CONTRA*, Mr. Pujari and Mr. Sawant, learned AGP would in tandem inform the Court that the principal order passed by Collector which is subject matter of challenge in the principal Writ Petition stands implemented in the meantime.
- 4.** Mr. Sawant, learned AGP has received instructions from the concerned Circle Officer regarding implementation of Collector's order.
- 5.** Mr. Pujari would submit that possession receipt dated 09.09.2025 which according to him is signed by all concerned statutory Officers in presence of Police Authorities notes that physical possession has been given to Respondent No.1.
- 6.** Copy of the said possession receipt is given to Mr Sawant and Ms. Pal.
- 7.** Petitioners shall consider the same since it case of the Advocate of Petitioners on instructions received from Petitioners that they are still in physical possession of the subject land.
- 8.** Respondents are directed to file appropriate Affidavit-in-Reply of submissions made across the bar today, *inter alia*, with respect to the possession receipt dated 09.09.2025 within a period of two weeks from today. Copy of the same shall be served on Ms. Pal. Advocate for Petitioner shall consider the same and file Affidavit-in-Rejoinder within a period of one week thereafter.

9. Stand over to 13th October, 2025.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

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by HARSHADA
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