

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 12483 OF 2021
IN
SUIT NO. 154 OF 2015
WITH
NOTICE OF MOTION NO. 867 OF 2016
WITH
NOTICE OF MOTION NO. 2271 OF 2016**

Ahsan alias Mansur Hasan Khan ...Plaintiff
Versus
Salim Hasan Khan & Ors ...Defendants

**Mr Anil Anturkar, Senior Advocate, with Manjula Rao, Shubham
H Misar, i/b Rahul Kadam, for the Original Plaintiff/Applicant.
Mr Atul Daga, with Rashna Khan, & Poorva Garg, i/b Mulla &
Mulla & Craigie Blunt & Caroe, for Defendant No. 1.
Ms Sweta Tandel, for Defendant No. 2.**

**CORAM: G.S. PATEL, J
(Through Video Conferencing)
DATED: 18th June 2021**

PC:-

1. Heard through video conferencing.

2. There can be no conceivable objection to the grant of prayer clause (a) of this Interim Application. It seeks leave to challenge an order dated 12th April 2021 passed by the Deputy Director of Land Records, Konkan Division in Appeal No. 978 of 2019. The Applicant seeks to move the Hon'ble Revenue Minister, Mantralaya against that order.

3. I am shown a previous order of the Hon'ble Mr Justice AK Menon of 17th July 2019. The argument is that the present Applicant had consented to a recall of an earlier order of the District Superintendent of Land Records. At that time, the Court directed that no further application would be made by the present Applicant except without leave of the Court.

4. Hence, the present prayer.

5. If the Applicant wishes to assail the Deputy Director of Land Records' order of 12th April 2021, that is his statutory right and the Appeal has to be decided on its own merits. The contestants may place their submission before the Hon'ble Revenue Minister.

6. It goes without saying that a copy of the Appeal must be served on the contesting parties and they will be entitled to be heard before the Hon'ble Revenue Minister before any order is made.

7. There will, therefore, be an order in terms of prayer clause (a). The Interim Application is to be kept pending for the other reliefs sought.

8. Affidavits in Reply for the remaining reliefs is to be filed and served on or before 2nd July 2021. Affidavit in Rejoinder, if any, is to be filed and served on or before 9th July 2021.
9. List the Interim Application on 16th July 2021.
10. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)