

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO.2636 OF 2020

RAOSAHEB RAJARAM CHAUDHARI AND ANOTHER
VERSUS
THE SUB DIVISIONAL OFFICER FAIZPUR AND OTHERS

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Advocate for Petitioners : Shri Shirsath P.B. h/f Shri Vikhe Patil P.B.
AGP for the State : Shri Tambe S.K.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 18, 2020

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PER COURT :-

1. The petitioners, original respondents in Case No.3 of 2017, filed by respondent No.3 under Section 5(2) of the Mamlatdar's Courts Act, 1906, are aggrieved by the order dated 23.12.2019, by which, the revision proceedings preferred by the original applicants were allowed under Section 23(2) of the said Act. The Tahsildar had earlier dismissed the proceedings on 15.2.2018. The respondent filed a parallel proceeding under Section 143 of the M.L.R.Code seeking creation of a new way and the said application was rejected on 30.12.2019.
2. Issue notice to the respondents, returnable on 30.3.2020.
3. The learned AGP waives service for respondents 1 and 2.

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4. Until further orders, the order of the revisional authority dated 23.12.2019 shall stand stayed and all the litigating parties shall maintain status quo as existing today.

5. Considering the agricultural season commencing from June 2020, this matter is likely to be heard finally at admission stage, on the returnable date.

6. Copy of the paper book for issuance of notice shall be supplied and all objections shall be removed, on/or before 27.2.2020, failing which, this application shall stand rejected without reference to the Court on 28.2.2020.

(RAVINDRA V. GHUGE, J.)

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