



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO. 6188 OF 2025

**MOHAMMAD KHAN SHAMSHER KHAN ALIAS DADABHAI AND
ANOTHER**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE SUB
DIVISIONAL OFFICER AND OTHERS**

...

Mr. Aniket S. Avhad h/for Mr. Kedar Shrimant Ravsaheb, Advocate
for the Petitioners

Mr. K. B. Jadhavar, AGP for Respondents-State

....

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.06.2025

PER COURT :-

- . Heard learned Advocate appearing for the petitioners.
2. It is submitted that the learned Tahsildar has passed order dated 21.02.2022 under Section 143 of the Maharashtra Land Revenue Code, 1966 thereby granting way in favour of Sirajkhan Sarvarkhan Pathan and Riyajkhan Sarvarkhan Pathan. The said order is challenged by the petitioners in appeal before the Sub Divisional Officer at Majalgaon. The appeal along with the application for grant of stay is pending for consideration and till today no orders are passed. In wake of pendency of the substantive appeal, the petitioner was served with notice dated 28.04.2025 for execution of the order.

3. In that view of the matter, issue notice to the respondents, returnable on 08.07.2025. Learned AGP waives notice for respondent Nos. 1 and 2.

4. The petitioners shall be at liberty to serve respondent Nos.3 and 4 by any alternate mode, as is permissible under law and file affidavit of service by returnable date.

5. Till then, the impugned notice dated 28.04.2025 shall be kept in abeyance.

[S. G. CHAPALGAONKAR, J.]

HRJadhav