



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4034/2026

Shri Kailash S/o Harichandra @ Haribhau Nathe and others

...Versus...

Nirmalabai Ramdas Wadnerkar and others

WITH

WRIT PETITION NO.4035/2026

Shri Kailash S/o Harichandra @ Haribhau Nathe and others

...Versus...

Nirmalabai Ramdas Wadnerkar and others

WITH

WRIT PETITION NO.4036/2026

Shri Kailash S/o Harichandra @ Haribhau Nathe and others

...Versus...

Nirmalabai Ramdas Wadnerkar and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Abhay Sambre, Advocate for petitioners
Mr. D.M. Kale, Advocate for respondent Nos.1 to 3
Mrs. Mrs. H.N. Prabhu, AGP for despondent Nos.4 to 8

CORAM : ROHIT W. JOSHI, J.

DATE : 08/05/2026

1. Issue notice to the respondents.
2. Advocate Mr. D.M. Kale waives service of notice for the respondent Nos.1 to 3. Assistant Government Pleader Mrs. H.N. Prabhu waives service of notice for the respondent Nos.4 to 8.
3. List the petitions for further consideration on 16/06/2026.
4. Advocate Mr. Sambre, for the petitioners contends that there is a delay of around 25 years in filing appeal under

Section 247 of the Maharashtra Land Revenue Code, 1966 before the Sub Divisional Officer. The learned Advocate contends that Sub Divisional Officer is proceeding to decide the application for condonation of delay along with the merits of the appeal. He further contends that the respondent Nos.1 and 3 have filed notes of argument before the Sub Divisional Officer on 23/04/2026 and the appeal was posted for judgment on 04/05/2026 on the ground that notes of argument are not filed by the respondents. He contends that even if the notes of arguments are not filed, right of oral arguments cannot be denied.

5. *Prima facie* the contention appears to be correct.

6. In view of the aforesaid, proceedings before the Sub Divisional Officer in Revenue Case No.RTS-59/Kanheri/35/2024-25; Revenue Case No.RTS-59/Tandulwadi/34/2024-25 and Revenue Case No.RTS-59/Akot Part-2/33/2024-25 are stayed till the next date. In the event, the Sub Divisional Officer has passed final order, effect and operation thereof shall also be stayed till the next date.

7. Learned Assistant Government Pleader undertakes to convey the order to the Sub Divisional Officer immediately.

8. Parties are directed to act on the copy of order uploaded on the official website.

(ROHIT W. JOSHI, J.)