

ITEM NO.6

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).31102-31103/2017

(Arising out of impugned final judgment and order dated 22-03-2017 in WP St. No.33611/2016 and 03-05-2017 in RP No. 73/2017 passed by the High Court of Judicature at Bombay)

SANJAY GANPATI PATIL &amp; ANR.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA &amp; ORS.

Respondent(s)

(WITH I.R. and IA No.96310/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.96309/2017-EXEMPTION FROM FILING O.T. and IA No. 168073/2018 (Application for Direction)

Date : 28-11-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE S. ABDUL NAZEER  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Sushil Karanjkar, Adv.  
Mr. Wasi Haider, AOR

For Respondent(s) Ms. Deepa M. Kulkarni, Adv.  
Mr. Nishant R. Katneshwarkar, Adv.  
  
Mr. Sandeep Sudhakar Deshmukh, AOR  
  
Mr. Anil Kumar Tandale, AOR

UPON hearing the counsel the Court made the following  
O R D E R

It is submitted by learned counsel for the petitioner that efforts are being made by the Bank - Respondent No.4 to take possession of the premises in dispute.

It is submitted that the Revision Petition filed by the petitioner was dismissed by the Divisional Deputy Registrar, Kolhapur Division, Kolhapur, Maharashtra due to non-deposit of 50% of the amount in dispute.

Now, as an amount of Rs.56,73,487 has been deposited by the petitioner, we are of the view that the Revision Petition should be restored and coercive steps should not be taken by the respondents to dispossess the petitioner from the premises in question, i.e., Shop No.10 in Survey No.146/1/2 situate at Malakapur, Tal: Karad Dist: Satara Maharashtra until the Revision Petition is decided.

Since the Revision Petition had not been decided on merits, we direct the concerned officer to restore the Revision Petition and try and dispose it of as soon as possible, preferably within 3-4 months.

The petitioner and the contesting respondents will appear before the said officer on 10<sup>th</sup> December, 2018 at 11.00 a.m.

The special leave petitions are disposed of.

Pending applications are also disposed of.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
ASSISTANT REGISTRAR