

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.5515 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.N.V.Gaware, advocate for the Petitioner.
Mr.S.G.Sangle, Asstt. Govt. Pleader for the State.

**CORAM : S.V.GANGAPURWALA &
A.I.S.CHEEMA, JJ.**
Date : 18.04.2015.

PER COURT :

1. Heard.
2. Mr.Gaware, learned counsel for the petitioner submits that the entry of charge over the property is recorded without notice to the petitioner. The petitioner has a right over the property pursuant to the development agreement executed by the owner of the property. The petitioner is the occupier of the said premises. Even application was given to the Circle Officer to cancel the said entry, however, no cognizance has been taken.
3. Mr.Sangle, learned Asstt. Govt. Pleader states that in case the petitioner is aggrieved by any entry in the revenue record the petitioner has a remedy available under the provisions of Maharashtra Land Revenue Code.

4. In light of the fact that the petitioner has statutory remedy under the Maharashtra Land Revenue Code, we are not inclined to consider the contentions canvassed by the learned counsel for the petitioner.

5. We dispose of the present Writ Petition, with liberty to the petitioner to avail the statutory remedy under the provisions of the Maharashtra Land Revenue Code against the entry of charge being recorded over the Writ property. The authority where the proceedings would be taken up by the petitioner, shall consider the time consumed in prosecuting the present Writ Petition.

6. All contentions raised by the parties are kept open.

7. Rule disposed of. No costs.

(A . I . S . CHEEMA, J .)

(S . V . GANGAPURWALA, J .)

Dt..18.04.2015.
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