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

**REVIEW APPLICATION NO.135 OF 2015
IN
WRIT PETITION NO.3496 OF 2002**

Ahmed Pyarmahmad Attar
and anr.

..PETITIONERS

VERSUS

Digamber s/o Kalidas Salunke
and ors.

..RESPONDENTS

Mr A.K. Gawali, Advocate for petitioners;
Mrs M.A. Deshpande, Asstt. Govt. Pleader for respondents no.2 to 5

CORAM : N.W. SAMBRE, J.

DATE : 21st October, 2015

ORAL ORDER :

Heard.

2. Mr Gawali, learned Counsel appearing on behalf of the review petitioners, while inviting my attention to section 250 of the Maharashtra Land Revenue Code, which deals with the period within which appeal must be brought, would urge that the findings recorded by this Court, in paragraph 16 of the judgment under review, are required to be set aside, and the writ petition preferred by the original petitioner Digamber is required to be dismissed by this Court. Apart therefrom, he has invited attention of this Court to the scope of Article 227 of the Constitution of India, while reviewing the orders of the revenue authorities.

3. Mr Gawali, learned Counsel appearing on behalf of the review petitioners, of course, was right in inviting attention of this Court to the provisions of section 250 of the Maharashtra Land Revenue Code, which

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prescribes limitation of sixty days for preferring an appeal, which period is required to be counted from the date on which the order is received by the appellant.

4. It is required to be noted here, that from the record it is not demonstrated as to on which date, the order against which an appeal was preferred before the Consolidation Officer, was served on the petitioner or the appellant before the said authority. In view thereof, in my opinion, the said provision will hardly be of any assistance to the petitioner.

5. So far as the second contention sought to be canvassed, at this stage, on behalf of the review petitioners, in relation to the scope of Article 227 of the Constitution of India is concerned, in my opinion, this Court need not go into that aspect of the matter, particularly while exercising review jurisdiction, as the judgment under review is based on the title of the original petitioner, to the land in question, for which the entry was taken in favour of the Government and not the review petitioners, and the fact remains that the Government has not raised any objection for the same.

6. In the light of above, there are no grounds for review of the judgment rendered by this Court on 4th August, 2015. Thus, the review petition fails and stands rejected with no order as to costs.

(N.W. SAMBRE, J.)

amj