

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

Review Application (Civil) No. 5 of 2015
(In Writ Petition No. 10828 of 2014)

Yamnaji Ganpat Mhaske,
Age : 67 years,
Occupation : Agriculture,
R/o. Mhaskewadi,
Taluka : Parner,
District : Ahmednagar.

.. Applicant
(Original plaintiff)

versus

1. The State of Maharashtra,
Through Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai - 32.
2. The Collector, Ahmednagar,
District : Ahmednagar.
3. Talathi,
Mhaskewadi (Jawale),
Taluka : Parner,
District : Ahmednagar.
4. The Tahsildar,
Taluka : Parner,
District : Ahmednagar.
5. Police Inspector,
Parner Police Station,
Taluka : Parner,
District : Ahmednagar.

.. Non-applicants.

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Mr. A.K. Gawali, Advocate, for the applicant.

*Mrs. S.G. Chincholkar, Assistant Government Pleader,
for non-applicant nos.1 to 5.*

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 9TH MARCH 2015

PER COURT :

1. Heard Adv. Mr. A.K. Gawali appearing for the applicant and learned AGP Mrs. S.G. Chincholkar appearing for the non-applicants.
2. The learned Counsel for the applicant submits that when the petition was heard on 2nd December 2014, unaware of the provisions of Section 158 of the Maharashtra Land Revenue Code, 1966, the petitioner agreed to go before the Civil Court in the pending suit for entry in the revenue record. In fact, there is a bar under Section 158 of the Maharashtra Land Revenue Code for filing the suit seeking change in the revenue record. Therefore, according to him, the order under review needs to be recalled.
3. Perused the order under review. The order under review was passed in the light of submissions advanced by the learned Counsel for the petitioner. Admittedly, suits are pending before the Civil Court. In our

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opinion, no case is made out to recall the order under review. Hence, the Review Application stands rejected.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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