

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3314 OF 2013

Dattatrya Bandu More and anr.

.. Petitioners

vs.

Gajendra Krushna More and ors.

.. Respondents

Mr. Surel Shah for the Petitioners.

None for the Respondents.

CORAM : M. S. SONAK, J.

DATE : 4 MARCH, 2015

P.C. :-

1] This petition was filed to challenge the order dated 29 January 2013 made by the District Superintendent of Land Records condoning the delay on the part of the respondents in instituting Appeal No.919 of 2012. During the pendency of this petition, the District Superintendent of Land Records has proceeded to dispose of the main appeal itself. Therefore, the order impugned in this petition has merged with the said order.

2] As against the final order made by the District Superintendent of Land Records, an appeal lies to Director of Land Records. Learned counsel for the petitioners states that the petitioners intend filing such appeal.

3] In the aforesaid circumstances, it is not necessary to entertain the present petition. However, it is clarified that the petitioners shall be at liberty to challenge not only the final order made by the District Superintendent of Land Records, but also the order impugned in this petition, by which the delay in filing the appeal came to be condoned. For this, the petitioners shall be at liberty to raise all grounds, which have been raised in the present petition.

4] With the aforesaid observations, this petition is disposed of. There shall be no order as to costs.

(M. S. SONAK, J.)

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