

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8233 OF 2014

**Mubarak Asdulla Pirjade
since deceased through LRs**

Shri Asdulla Mubarak Pirjade and Anr.

: Petitioners.

Versus

Amanulla Jajkalla Huseni Pirjade & ors.

: Respondents.

Mr. Ashok B Tajane for the Petitioners.

CORAM : R. M. SAVANT, J.

DATE : 31st March 2015

P.C.

1 The writ jurisdiction of this Court is invoked against the order dated 24/1/2013 passed by the Additional Commissioner, Pune Division, Pune by which order the Revision Application filed by the Respondent Nos.1 to 3 herein came to be allowed and resultantly the order passed by the Additional Collector came to be set aside and the order dated 23/7/2002 passed in Appeal No.77 of 2002 by the Sub-Divisional Officer, Solapur Division, Solapur came to be confirmed. The Petitioner also challenges the order dated 23/5/2014 by which order the Review Application filed by the Petitioner came to be dismissed.

2 The proceedings relate to the Mutation Entry effected in respect of part of Gat No.181 being Mutation Entry No.53. The Petitioner had filed an

Appeal before the Sub-Divisional Officer which came to be dismissed by the order dated 23/07/2002. The Petitioner carried the matter in Appeal before the Additional Collector which Appeal came to be allowed and the entry was directed to be effected in favour of the Petitioner in respect of part of the said land bearing Gat No.181. The Respondent Nos.1 to 3 herein carried the matter by way of Revision before the Additional Commissioner. The Additional Commissioner, Pune Division, Pune, as indicated above, set aside the order passed by the Additional Collector and confirmed the order passed by the Sub-Divisional Officer rejecting the Appeal filed by the Petitioner.

3 In my view, it is not necessary to entertain the above Petition, as in the light of the unreported judgment of a Division Bench of this court in Letters Patent Appeal No.55 of 2003 in Writ Petition No.7477 of 2002 in the matter of Gurudassing Nawoosing Panjwani v/s. The State of Maharashtra and others, the Petitioner has a remedy by way of a 2nd Revision before the State Government. By relegating the Petitioner to the said remedy, the above Petition is disposed of. Needless to state that if any such 2nd Revision is filed, the State Government would consider the same on its own merits and in accordance with law.

[R.M.SAVANT, J]