

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

WRIT PETITION NO. 10544 OF 2015

Mr. Ramchandra Vithoba Kamble & Ors.	.. Petitioners
Vs.	
Mr. Gurubala Ghenappa Kamble	.. Respondent

Mr. Samer Kolge for the Petitioners.
Mr. Ranjeet Patil for the Respondent.

CORAM : M.S.SONAK, J.
DATE : 10th DECEMBER, 2015.

P.C.

1. Learned Counsel for the petitioners seeks leave to withdraw this petition with liberty to file second revision before the State Government. He submits that such second revision application is maintainable before the State Government, inter alia, in view of the decision of the Hon'ble Apex Court in the case of **Gurudassing Nawoosing Panjwani Vs. The State of Maharashtra in Civil Appeal No. 5102 of 2006 dated 06.11.2015.**

2. The Hon'ble Apex Court has approved the decision of this Court dated 13.07.2005 made in Letters Patent Appeal No. 55 of 2003. The Hon'ble Apex Court in para 32 has observed thus:

32. Considering the entire scheme of the Code, and the provisions contained in Sections 257 and 259, we are of the definite opinion that the Minister concerned of the State Government can entertain second revision to satisfy the legality and propriety of the order passed by the Revenue Officer. The Division Bench of the Bombay High Court has elaborately discussed the question and passed the impugned order holding that Section 257 confers jurisdiction to the State Government to entertain its revision against the order passed by any Revenue Officer either in appeal or in revision. We find no infirmity in the impugned order passed by the High Court. Hence, this appeal has no merit which is accordingly dismissed.

3. In view of the aforesaid leave is granted to withdraw this petition with liberty to institute revision petition before the State Government under Section 257 of the Maharashtra Land Revenue Code, 1966.

4. All contentions of all parties are left open to be decided by the Revisional Authority.

(M.S.SONAK, J.)