

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1844 OF 2015

Rishi Deo Singh Yadav	...Petitioner
versus	
Chittaranjan G. Shah	
and Others	...Respondents

Mr. Drupad Patil, for the Petitioner.
None for the Respondents.

CORAM : M. S. SONAK, J.

DATE : 20TH FEBRUARY 2015

P.C. :-

Not on board. Upon production, taken on board.

2. This petition is directed against the order dated 11th September, 2014 made by Sub Divisional Officer under the provisions of Maharashtra Land Revenue Code, 1966 ("said Code").

3. The order impugned condones the delay of almost 14 years in filing an appeal against the entry in the revenue record. The learned counsel for the petitioner contents that no adequate

opportunity was given to the petitioner when such order was made.

4. As against the order made by the Sub Divisional Officer, a revision would lie to the revisional authority under Section 257 of the Code. Accordingly, there is no reason to entertain the present petition.

5. The learned counsel for the petitioner states that the petitioner would institute a revision petition before the revisional authority within a period of four weeks from today. In case, such revision petition is instituted then the revisional authority to entertain the same on merits without advertng to the issue of some marginal delay that may be involved in the institution of the same.

6. Further, considering the circumstances that the delay is stated to be of 14 years, it would be proper if the Sub Divisional Officer does

not proceed with the hearing of the appeal No. 17 of 2014 for a period of four weeks from today. It shall be open to the petitioner to apply before the revisional authority for interim relief, once the revision application is instituted.

7. The revisional authority to decide upon the issue of interim relief as also merits of the revision application on its own merits and in accordance with law.

8. It is clarified that this Court has not expressed any opinion on the merits of the matter. All contentions of all parties are left open for decision of the revisional authorities.

9. With the aforesaid observations, present petition is disposed of. There shall be no order as to cost.

(M. S. SONAK, J.)