

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 5118 OF 2014

Green Acres Horticultural  
Development Cooperative Societies  
Ltd.

.. Petitioner

vs.

State of Maharashtra and ors.

.. Respondents

Mr. C.P. Deogirikar for the Petitioner.

Mr. S.D. Rayrikar, AGP for Respondent Nos.1 to 3.

**CORAM : M. S. SONAK, J.**

**DATE : 23 NOVEMBER 2015.**

**P.C. :-**

1] The challenge in this petition is to the orders dated 23 October 2013 and 10 March 2014 made by the Tahsildar, Shahpur purported to exercise powers under the Maharashtra Land Revenue Code, 1966 (Code).

2] As against this impugned orders, there is remedy of appeal provided under the Code. This being a statutory appeal, there is no reason to entertain the present petition.

3] The learned counsel for the Petitioner, however, points out that there is interim relief operating in favour of the Petitioner since 21 July 2014. That by itself, is no ground to entertain the present petition. However, the interim relief can be extended for a suitable

period, so as to enable the Petitioner to institute an appeal against the impugned orders and obtain interim orders from the Appellate Authority.

4] The learned counsel for the Petitioner states that the appeal against the orders impugned in the present petition will be instituted before the Appellate Authority within a period of four weeks from today. This statement is accepted. The interim relief granted by this Court on 21 July 2014 shall continue for a period of eight weeks from today. This means, that the Petitioner will have ample time, not merely to file the appeal before the Appellate Authority, but also move the Appellate Authority for grant of interim relief in the matter.

5] In case, the appeal is instituted within a period of four weeks from today, then the Appellate Authority to consider the time spent by the Petitioner in this Court as time spent *bonafide* in pursuing remedy against the impugned orders. Subject to aforesaid observations and directions, this petition is not entertained and disposed of accordingly.

6] It is made clear that this Court has not examined the merits of the matter and therefore all contentions of all parties are kept open for decision by the Appellate Authority.

**(M. S. SONAK, J.)**

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