

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7945 OF 2015

Smt.Kusum Namdev Lane & Ors. .. Petitioners

Vs.

Smt.Subhadrabai Gulabrao Lande & Ors. .. Respondents

.....

Mr. Ravi Kadam for Petitioners.

Mr. S.D.Rayrikar, AGP for Respondents.

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CORAM : M.S.SONAK, J.

DATE : 8th DECEMBER, 2015.

P.C.:

1. The challenge in this petition is to the order dated 28th April, 2014 made by the District Superintendent of Land Records, Pune under the provision of the Maharashtra Land Revenue Code, 1966 (the Code).

2. The Learned AGP pointed out that remedy by way of revision under section 257 of the code is available against the impugned order. The contention of the learned Counsel for the petitioner is, since the impugned order has not decided the petitioners appeal on merits no remedy of revision is available to the petitioner, cannot be accepted.

3. The provision of Section 257(1) are quite wide and revisional powers are available to enable the revisional authorities to satisfy themselves as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings, which are sought to be revised.

4. In view of availability of alternative statutory remedy there is no reason to entertain the present petition. The petition is therefore dismissed. Dismissal of this petition shall however not be a bar for the petitioner to invoke remedy of revision under the Code. Such remedy, if invoked, the revision authority shall decide the revision petition in accordance with law and on its own merits.

5. Subject to the aforesaid, this petition is disposed of.

6. There shall be no order as to costs.

7. All concerned to act on the authenticated copy of this order.

(M.S.SONAK, J.)