

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7812 OF 2013

Shri. Sitaram Rajaram Lokhande .. Petitioner
vs.
Shri. Karbhari Bhagwant Lokhande and ors .. Respondents

Mr. T.D. Deshmukh for the Petitioner.
Mr. Rajesh Kachare i/b Ameet Palkar for Respondent Nos.1 to 4.

CORAM : M. S. SONAK, J.
DATE : 10 MARCH, 2015

P.C. :-

1] This petition is directed against an order dated 29 June 2013 made by the District Inspector of Land Records (DILR), Pune condoning the delay of 35 years in instituting an appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 (said Code).

2] As against the impugned order, revision under Section 257 of the Code is maintainable. Accordingly, there is no reason to entertain the present petition.

3] Learned counsel for the petitioner states that the petitioner shall institute a revision petition before the State Government within a period of two weeks from today. If such revision petition is instituted within a period of two weeks from today, then the same shall be entertained by the State Government on merits and in accordance with law, without adverting to the issue of limitation. This is because, the petitioner was *bonafide* in pursuing the present petition before this Court.

4] Further, the interim order made by this Court on 28 August 2013 shall operate for a period of four weeks from today. During this period, it shall be open to the petitioner to seek interim relief from the State Government, in the revision petition, if instituted.

5] It is clarified that this Court has not gone into the merits of the matter and all contentions of all the parties are kept open for decision by the Revisional Authority.

6] With the aforesaid observations, the present petition is disposed of. There shall be no order as to costs.

7] All parties to act upon an authenticated copy of this order.

(M. S. SONAK, J.)

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