

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1715 OF 2015

Pradip s/o Mahadeorao Bhusari

-vs-

State of Maharashtra, Thr. its Secretary, Revenue and Forest Department, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. V. Vaidya, Advocate for petitioner
Shri S. M. Bhagde, AGP for respondent No.1.
Shri A. A. Bhide, Advocate for respondent No.3.

CORAM : A.S.CHANDURKAR, J.

DATE : December 15, 2015

The petitioner has challenged the order dated 05/12/2014 passed by the City Survey Officer. An objection is raised on behalf of respondent No.3 to the maintainability of the writ petition on the ground that a statutory remedy of appeal under Section 247 of the Maharashtra Land Revenue Code, 1966 is available.

Considering the facts of the case and as a statutory remedy is available to the petitioner, I am not inclined to entertain the writ petition. Keeping the points raised in the writ petition open, the writ petition is disposed of with liberty to the petitioner to avail the statutory remedy under Section 247 of the Code. If such remedy is invoked within period of four weeks from today, same shall be considered on its own merits by taking into account the time spent by the petitioner before this Court. If such proceedings are filed, same shall be decided expeditiously. Petition is disposed of accordingly.

JUDGE