

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

WRIT PETITION NO.4767 OF 2015

[Narhar s/o Keshavrao Gulve and others .vs. The Collector, Buldhana and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S. Kshirsagar, counsel for the petitioners,
Mrs. B.H. Dangre, Government Pleader for the respondents.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : AUGUST 20, 2015.

Heard.

It is stated on behalf of the petitioners that though some part of the land of the petitioners was not acquired by the State Government, the Tahsildar removed the names of the petitioners from the revenue record in respect of the said land. It is stated that an application is filed by the petitioners before the Sub-Divisional Officer challenging the order of the Tahsildar.

The declaration sought by the petitioners that the plots/lands of the petitioners are not a part of the acquisition proceeding cannot be granted in exercise of the writ jurisdiction. If it is the case of the petitioners that the plots/lands have not been acquired and the Tahsildar has wrongly removed the names of the petitioners from the revenue record, the petitioners may avail the remedy of filing an appeal against the order of the Tahsildar under the Maharashtra Land Revenue Code.

Shri Kshirsagar, the learned counsel for the petitioners, states that the petitioners may be permitted to withdraw the writ petition by keeping the points open. The learned counsel states that the petitioners would file an appeal before the Sub-Divisional Officer, if not filed earlier, and appropriate remedy would be availed.

In view of the aforesaid statement, the writ petition is disposed of as withdrawn. The points raised in the petition are kept open.

JUDGE

JUDGE

Gulande