

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4137 OF 2016

Shri Satish Namdeo Mahadik .. Petitioner

Vs.

The State of Maharashtra and others .. Respondents

None for the Petitioner.

None for the Respondents.

**CORAM : V. M. KANADE &
M.S.KARNIK, JJ.
DATE : 12th APRIL, 2016**

P.C. :

1. None appears on behalf of the petitioner.
2. By this Petition which is filed under Article 226 of the Constitution of India, the petitioner is seeking the following reliefs.

(a) That this Hon'ble Court be pleased to issue writ under the Article 226 of Constitution of India, be pleased to issue a writ mandamus or any other appropriate writ, order and thereby be pleased to initiate appropriate proceeding for entering inherited tenancy and possession of petitioner in the ownership record of the suit land which is maintained by respondent Government authorities.

(b) That this Hon'ble Court further be pleased to substitute his names entry in place of deceased grand father of petitioner in the title record i.e. 7/12 extract of suit land.

(c) That this Hon'ble Court in alternative also direct to the respondents State authorities that to adjudicate the

application dated 12/02/2014 made by the petitioner before respondent No. 4 and furthermore initiate appropriate proceeding by State Authorities for forfeiture of Landlords rights in the suit land on the account of their illegal transfer made in favour of respondents No. 10 to 13.

(d) Interim and ad-interim reliefs the Government Authorities be directed to maintain status-quo position in respect of record pertaining to the suit land.

(e) That such other orders as justice and convenience may demand from time to time may be pleased in favour of petitioner by this Hon'ble Court.

(f) For costs of this Petition.

3. In our view, such a direction cannot be issued by us while exercising our writ jurisdiction under Article 226 of the Constitution of India. The petitioner also has an alternate efficacious remedy of filing an Appeal against the entries made in the Revenue record. The Petition is, therefore, dismissed on the ground that it is not maintainable reserving the right of the petitioner to exhaust an alternate efficacious remedy which is available to him of filing an Appeal against the impugned order.

(M.S.KARNIK, J.)

(V. M. KANADE, J.)