

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8115 OF 2003

Smt. Aruna Gopal Jarandikar & Ors. .. Petitioners
vs.
Shri Yashwant Vitthal Mane .. Respondent

None for Petitioner.
None for Respondent.

CORAM : M. S. SONAK, J.
DATE: 15 NOVEMBER 2016

P.C :

1] The petitioners challenge judgment and order dated 31 July 2003 made by the Additional Commissioner, Pune Division, Pune dismissing the petitioners' revision application under section 257 of the Maharashtra Land Revenue Code, 1966 (Code) in the matter of entries in revenue records.

2] As against the impugned order, the petitioners, have a right to institute a second revision application before the State Government, in terms of the law laid down by the Division Bench of this Court in the case of ***Gurudassing Nawoosing Panjwani vs. The State of Maharashtra & Ors.***¹ Incidentally, this ruling of the Division Bench has been upheld by the Hon'ble Supreme Court in ***Civil Appeal No. 5102 of 2006 vide judgment and order dated 6 November 2015.***²

1 2005 SCC On Line Bom. 1679.

2 2016 (1) Bom. C.R. 264

3] In view of the aforesaid, there is no case made out to exercise extra ordinary jurisdiction under Articles 226 and 227 of the Constitution of India.

4] However, Rule had been issued in this petition on 16 December 2005 and interim stay was also granted. If, therefore, the petitioner, now institutes a second revision application against the impugned order within a period of three months from today, the same shall be entertained by the revisional authority on merits, without advertng to the issue of limitation. For a period of three months from today, the interim order shall remain in operation.

5] This petition is accordingly disposed of with liberty as aforesaid. There shall be no order as to costs.

6] The Registry to inform the learned counsel appearing for the petitioner about the making of this order within a period of two weeks from today and place the necessary intimation on record in the file.

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

(M. S. SONAK, J.)