

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3210 OF 2015

Sou. Mangaladidi F. Manepatil & Ors.

... Petitioners

Versus

Shri Shashikant N. Manepatil & Ors.

... Respondents

.....

Mr. Surel Shah, Advocate for the Petitioners.

Mr. Shankar M. Katkar , Advocate for Respondent No.1.

Mr. S.D.Rayrikar, AGP for Respondent No.3.

.....

CORAM : R.M. BORDE, J.

DATE : 20TH SEPTEMBER, 2016

P.C. :

. The Petitioner is objecting to the interlocutory order passed by the Additional Commissioner, Pune refusing to grant interim relief in the revision application tendered by the Petitioner. It is not a matter of dispute that the Petitioner has also approached civil Court by filing two Regular Civil Suits bearing numbers 34 of 2002 and 485 of 1999 raising the same grievance, which is raised before the Revenue authorities. It cannot be controverted that the decision of the Civil Court will prevail over the decisions those would be rendered by the Revenue Authorities. In other words, the decisions of the revenue Authorities shall be subject to the outcome of the civil litigations which are pending between the parties before the competent Civil Court. In this view of the matter, the challenge raised by the Petitioner in this petition does not deserve consideration. It

will be open for the Petitioner to tender appropriate application to the Civil Court in the event of occurrence of any fresh cause.

2 With the liberty as aforesaid, the petition is disposed of.

(R.M. BORDE, J.)