

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 4980 OF 2015**

Shri Hasan Mia Kamandar
(Since Decd.) Through LRs.

....Petitioners

Vs.

Tahasildar, Jawahar & Ors.

....Respondents.

Mr. Kuldeep S. Patil for the Petitioners.

Mr. V.N. Sagare, AGP for Respondent Nos. 1, 2 and 4.

**CORAM : ANOOP V. MOHTA AND
A.S. GADKARI, JJ.**

DATE : 14 DECEMBER 2016.

ORDER:-

The learned AGP has raised a preliminary objection to the maintainability of the Writ Petition, as the impugned order, though stated to be passed on the basis of order passed by this Court, proceeded under Section 247 of the Maharashtra Land Revenue Act, 1966 (for short, "*the Act*"), against which a remedy of Revision is available under Section 257 of the Act.

2 In view of this, the present Writ Petition is disposed of with liberty to the Petitioners to approach before the concerned

Revisional/Appellate Authority. The concerned Authority to consider the case of the Petitioners in accordance with law and also consider the issue of delay, if any, as we are disposing of this Petition, which was filed on 12 March 2015, by this order today. All the contentions are expressly kept open.

3 Writ Petition is accordingly disposed of, with liberty. No costs.

(A.S. GADKARI, J.)

(ANOOP V. MOHTA, J.)