

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

WRIT PETITION NO.10056 OF 2013

Amrutbhai Ambalal Patel : Petitioner.
versus
The Divisional Commissioner,
Konkan Division, Belapur, Navi Mumbai & anr. : Respondents.

Mr. N S Patil for the Petitioner.
Mrs. V S Nimbalkar AGP for the Respondent No.1.
Mr. B S Mahajani for the Respondent No.2.

CORAM : R. M. SAVANT, J.
DATE : 16th November 2016

P.C.

1 The above Writ Petition has been filed challenging the order dated 05/10/2013 passed by the Divisional Commissioner, Konkan Division transferring the proceedings in question being Tenancy Appeals being No.RTS Appeal No.270/2013 and 271 of 2013 from the Additional Commissioner, Konkan Division, to the Collector, Mumbai Suburban District. The said transfer was on the application made on behalf of the Respondent No.2 as the said Respondent had made a grievance against the Additional Commissioner hearing the Appeals. The order has been passed by the Divisional Commissioner under Section 226 of the Maharashtra Land Revenue Code, 1966. An Affidavit in Reply has been filed wherein it has been stated that no prejudice would be caused to the Petitioner on account of the said transfer as the proceedings have been transferred to the Collector, Mumbai Suburban

District who at the relevant time was an officer of the same seniority as the Additional Commissioner, Konkan Division.

2 In my view, having regard to the nature of the order as also having regard to the fact that the said order has been passed as long back as in the year 2013, no interference in the writ jurisdiction of this Court is called for. The above Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]