

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

WRIT PETITION NO.11642 OF 2015

Krushna Tatya Katte and anr. : Petitioners.

Versus

The State of Maharashtra and ors. : Respondents.

Mr. R V Bansode for the Petitioners.

Mrs. M S Bane, "B" Panel Counsel for the Respondent Nos.1 to 4.

CORAM : R. M. SAVANT, J.

DATE : 30th March 2016

P.C.

1 The writ jurisdiction of this Court is invoked against three orders i.e. the order dated 14/08/2013, the order dated 15/04/2014 and the order dated 07/08/2015. By the first order the Respondent No.3 – The District Superintendent of Land Records has condoned the delay in the filing the Application by the Respondent No.7 for cancellation of Mutation Entry No.5864. By the subsequent order dated 15/04/2014 the Respondent No.3 has cancelled the Mutation Entry No.5864 of village Gondavale (BK), and by the last order dated 07/08/2015 the Respondent No.4 has cancelled the partition of Survey Nos.302/3/A and 302/3/B in the consolidation scheme. Against the said orders the Petitioners have alternate efficacious remedy under the provisions of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 especially under Section 35 thereof. Hence it is not necessary to interdict with the impugned orders in the writ jurisdiction of this

Court. By relegating the Petitioners to the said remedy, the above Writ Petition is disposed of.

[R.M.SAVANT, J]