

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1285 OF 2017

Khushal Mitharam Patil and ors. ..Petitioners

Vs.

Tahsildar, Raver and ors. ..Respondents

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Mr.R.B.Ade, Advocate for petitioners
Mr.S.G.Karlekar, AGP for respondent nos.1 and 2
Mr.S.S.Naik, Advocate for respondent no.3

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**CORAM : V.M. KANADE AND
 SANGITRAO S. PATIL, JJ.
DATE : JANUARY 25, 2017**

PER COURT :

Heard.

2. The petitioners are challenging the notice dated 12.01.2017 issued by respondent no.2 – Circle Officer, Raver, asking the petitioners to deliver possession of the agricultural land prescribed in prayer clause (D) of this petition, in view of the order dated 18.05.2016 passed by the Tahsildar .

3. In our view, the petitioners have an alternate remedy of filing appeal against the order passed by the Tahsildar under Sections 29(2) and 25(2) of the The Maharashtra Tenancy And Agricultural Lands Act, 1948.

4. The learned Counsel for respondent no.3, on instructions, states that respondent no.3 will not take steps in view of the order dated 18.05.2016 passed by the Tahsildar, for a period of one week from today.

5. In view the statement made on behalf of respondent no.3, nothing survives in this petition. Reserving the right of the petitioners to avail of the alternate remedy, the Writ Petition is disposed. All contentions of respondent no.3 are kept open.

[SANGITRAO S. PATIL, J.]

kbp

[V.M. KANADE, J.]