

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9845 OF 2017
WITH
CIVIL APPLICATION NO. 14501 OF 2017

SYED ISRAEEL SYED IBRAHIM AND OTHERS
VERSUS
SYED MUZAFFORUDDIN SYED AMIRUDDIN AND OTHERS

...
Advocate for Petitioners : Mr. Kazi S.S.
AGP for Respondents 6 and 7: Mr. P.N. Kutti
Advocate for Respondent Nos.1 to 5 : Mr. U.D. Dalvi

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CORAM : V. K. JADHAV, J.
DATED : 6th DECEMBER, 2017

PER COURT:-

1. Learned counsel for respondent Nos. 1 to 5 has raised preliminary objection that the alternate remedy is available by way of filing revision before the Maharashtra Revenue Tribunal. Learned counsel has placed on record a notification issued by the government on 27.11.1998 and also relies on the judgment of this Court in the case of ***Shivraj Manik Bargale and Ors. vs. Shankar Hanumant Hudge and Anr, reported in 2002 (2) All M R 312.***

2. In view of above, learned counsel for the petitioners seeks leave to withdraw this writ petition with liberty to file revision before the Maharashtra Revenue Tribunal. Leave granted. Writ petition is disposed of as withdrawn with liberty to file revision before the

appropriate forum. If the revision is filed within two weeks from today, the appropriate authority may consider the time spent in pursuing present writ petition.

3. Learned counsel for respondent Nos. 1 to 5 submits that till filing of revision before the appropriate forum, the respondents would not proceed with the matter pending before the Deputy Collector, Atiyat.

4. Pending civil application is also disposed of.

(V. K. JADHAV, J.)

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