

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

919 WRIT PETITION NO. 2757 OF 2013

CHINTAMAN TARACHAND CHAVAN AND OTHERS
VERSUS
POMA TOTARAM CHAVAN, L.RS. DHARMA AND OTHERS

Shri. P.R. Katneshwarkar, Advocate, for petitioners.

Smt. M.L. Sangit, Advocate, for respondent Nos.1A to 1D
and 5 to 8.

Shri. A.S. Shinde, Assistant Government Pleader, for
respondent No.9.

Coram: T.V. NALAWADE, J.

Date: 7 July 2017.

ORDER:

1) Both the sides are heard.

2) The order made by the learned Additional Commissioner, Nashik Division, Nashik under the Maharashtra Land Revenue Code was challenged in appeal. Against this decision there is provision of revision to the State Government. The learned counsel for the petitioners submitted that in the past, he had approached

the State Government and the order was made by the Officer on Special Duty and due to that in Writ Petition No.710/2002 this Court has set aside that order. He submitted that on that occasion the matter could have been remanded by this Court but the matter was not remanded and so opportunity needs to be given to the present petitioners to approach the State Government.

3) Learned counsel for the respondent placed reliance on a case reported as **2015(6) Mh.L.J. 915 (Gurudassing vs. state of Maharashtra)**. It can be said that there is some mistake on the part of this Court also and so opportunity needs to be given to the petitioners to approach the State Government. With these observations the present petition is disposed of. The State Government is to consider the aforesaid submissions while entertaining the revision as there will be question of limitation and condonation of delay.

Sd/-
(T.V. NALAWADE, J.)

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