

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8428 OF 2017

VITHAL RAMCHANDRA PAWAR
VERSUS
BHANUDAS NIVRUTI KAMBLE

Advocate for Petitioner : Shri S.S. Pawar.
Advocate for Respondent : Shri A.R. Rathod.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 29th September, 2017

PER COURT :

1. The petitioner is aggrieved by the impugned order passed by the authority under Section 258 of the Maharashtra Land Revenue Code.
2. Section 258 is with regard to entertaining a Revenue Application by the same authority which has passed the order.
3. Learned advocate for the sole respondent submits that the petitioner has a statutory remedy in the form of Section 249, which provides for preferring an Appeal against an order passed

in Review which has resulted in varying or reversing any order. It is, therefore, contended that as a statutory remedy is available, the petitioner ought not to bypass the said remedy.

4. Considering the above, the learned advocate for the petitioner submits that this petition can be disposed of with liberty to avail of the remedy under Section 249.

5. As such, this petition is disposed of. It is clarified that the petitioner would be at liberty to approach the appropriate authority under Section 249 of the Maharashtra Land Revenue Code. All contentions and grounds raised in this petition are kept open. In the event of any delay, the time spent by the petitioner in this Court from 12/05/2017 till the passing of this order, shall be a good ground for condonation of delay.

(RAVINDRA V. GHUGE, J.)