

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

WRIT PETITION NO. 10621 OF 2016

Anita Santosh Sonawane

..PETITIONER

VERSUS

Walmik Rangnath Desai and Others

..RESPONDENTS

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Mr. A.P. Sonpethkar, Advocate h/f Mr. P.N. Sonpethkar, Advocate for petitioner.
Mr. Ruchir S. Wani, Advocate h/f Mr. A.S. Bajaj, Advocate for Respondent Nos.
1 and 2.

Mr. S.K. Tambe, A.G.P. for respondent – State.

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 31st JULY, 2017**

ORDER :

1. The learned A.G.P. points out that by circular dated 21st February, 2008, the powers of the State Commission under Section 31A of the Prevention of Fragmentation and Consolidation of Holdings Act, have been delegated to the Deputy Director of the Land Reforms for the convenience of the litigating parties. Therefore the challenge to the impugned order based on the judgment in the case of *Limbraj Waman Yede Vs. State of Maharashtra and Others 2004 (1) Mh.L.R. 492* would not assist the petitioner.

2. The learned A.G.P. further submits that even otherwise a statutory

remedy is available for the petitioner to approach the Deputy Director of Land Reforms and may raise all the contentions.

3. The learned Counsel for the petitioner therefore submits that he may be permitted to avail of the statutory remedy.

4. Considering the above, this petition is disposed off with a liberty to the petitioner to avail of the statutory remedy of approaching the Deputy Director of Land Records. The time spent in this Court from 30th September, 2016 till the passing of this order, shall be a ground for canvassing the request for condonation of delay.

5. Since this Court had protected the petitioner by order dated 25th April, 2017, the said protection shall continue for a further period of six weeks.

(RAVINDRA V GHUGE, J.)

SSD