

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

916 WRIT PETITION NO. 13984 OF 2017

SHAIKH AYUB SHAIKH PIR MOHAMMAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. S. S. Shaikh.
AGP for Respondent Nos.1 & 2: Mr. P. N. Kutti.

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CORAM : **V. K. JADHAV, J.**
DATE : 05th December, 2017.

ORDER:

. The learned AGP has raised a preliminary objection that the alternate efficacious remedy is available to the Petitioners to challenge the order passed by the Tahsildar before the appropriate authority.

2 The learned counsel for Petitioners submits that even on perusal of the impugned order, it does not appear that the Tahsildar has decided the matter under the provisions of the Mamlatdar's Courts Act or under Maharashtra Land Revenue Code. However, it appears that the learned Tahsildar has passed the order directing the Petitioner to open the new road passes from the Petitioners' land precisely under the provisions of the Mamlatdar's Courts Act and in view of the same, the Petitioners can approach the appellate or revisional authority as

provided under the provision of Mamlatdar's Courts Act. The Petitioners are at liberty to approach the appropriate authority under the provisions of the Mamlatdar's Courts Act. The writ petition is accordingly disposed of.

[V. K. JADHAV, J.]

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