

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2466 OF 2005

Natraj Studios Private Limited & anr. .. Petitioners
Vs.
The State of Maharashtra & ors. .. Respondents

.....
Ms. Panthi Desai i/by M/s. M.P. Vashi & Associates for the petitioners.

Mr. S.D. Rairikar, AGP for respondents No.1 to 4.
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CORAM : M.S. KARNIK, J.

DATED : 1st NOVEMBER, 2017

ORDER :

The petitioners are aggrieved by the judgment and order dated 24th February 2005 passed by the Additional Commissioner, Konkan Division in Appeal-Desk-LND-Revi-.13/2005.

2. The Apex Court in the case of **Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and others ((2016) 2 SCC 213)** has held that second revision under section 257 of the Maharashtra Land Revenue Code, 1966 is maintainable before the State Government. In this light of the matter, the petitioners have an alternate efficacious remedy of filing a revision before the State Government under section 257 of the Code as held by the Apex Court in the case of **Gurudassing Nawoosing Panjwani** (supra). The petitioners are accordingly relegated to the remedy of revision under

section 257 of the Code before the State Government. If the petitioners file the revision before the State Government challenging the impugned order dated 24th February, 2005 within the period of four weeks from today, the State Government to decide the revision on its own merits without going into the question of limitation in the light of the petitioners bonafide pursuing the present petition.

3. If the revision under section 257 of the Code is so filed by the petitioners, the State Government is requested to decide the revision as expeditiously as possible and in any case within the period of twelve weeks from the date of the filing of the revision.

4. Pursuant to the order passed by this Court on 8th February, 2016, the petitioners have deposited an amount of Rs.2 lakhs in this Court. The petitioners are allowed to withdraw the said amount of Rs.2 lakhs along with accrued interest, if any.

5. The Writ Petition is disposed.

6. Rule is discharged.

(M.S. KARNIK, J.)