

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 5952 OF 2017
WITH
CIVIL APPLICATION NO.1989 OF 2017
IN
WRIT PETITION NO. 5952 OF 2017**

Prakash Madhukar Deshpande

...Applicant
(Org.Petitioner)

IN THE MATTER BETWEEN :

Prakash Madhukar Deshpande

...Petitioner

Versus

State Of Maharashtra Through Collector
And Ors.

...Respondents

Mr.Prakash M. Deshpande-Petitioner In Person present.

Ms.Vaishali Nimbalkar, AGP for Respondent-State.

CORAM : M. S. SONAK, J.

DATE : 29th SEPTEMBER 2017

P.C.

1. The petitioner challenges order dated 17th March 2017 made by Sub-Divisional Officer, Pune, by invoking the provisions of Section 257 of the Maharashtra Land Revenue Code.

2. The Division Bench of this Court, in *Gurudassing Nawoosing Panjwani V/s. The State of Maharashtra & Ors.* in Letters Patent Appeal No.55 of 2003 decided on 13th July 2005, which decision has been confirmed by the Hon'ble Supreme Court in Civil Appeal No.5102 of 2006 vide Judgment and order dated 06th

November 2015 has held that a Second Revision Application is maintainable under Section 257 of the Land Revenue Code. Since, the petitioner has alternate and efficacious remedy there is no reason to entertain this petition.

3. The petitioner, who appears in person, states the he will file a Revision within a period of one month from today. If such Revision is indeed filed within one month, the same should be considered on its own merits and in accordance with law without adverting to the issue of limitation.

4. The petition is disposed of with liberty as aforesaid.

5. The Civil Application does not survive and the same is also disposed of.

6. It is made clear that this Court not adverted to the merits of the matter and therefore, the Revisional Authority, to decide the Revision Application, if instituted, on its own merits and in accordance with law.

(M. S. SONAK, J.)