

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

**WRIT PETITION NO.7947 OF 2016
WITH
WRIT PETITION NO.10000 OF 2016
WITH
WRIT PETITION NO.10001 OF 2016
WITH
WRIT PETITION NO.10002 OF 2016
WITH
WRIT PETITION NO.7999 OF 2016**

**M/s. Pongal Land Pvt. Ltd.
Through Shri Sachin Kashinath Balwad : Petitioner.
versus
Milind Yashwant Datar and ors. : Respondents.**

**Mr. P S Dani, Senior Advocate with Mr. Vaibhav Sugdare and Mr. Ameya Nabar i/by M/s. A S Dayal & Associates for the Petitioner.
Mr.Manoj M Kadam for the Respondent Nos.1 to 9.
Mrs. V S Nimbalkar AGP for the Respondent Nos.20 to 23.**

**CORAM : R. M. SAVANT, J.
DATE : 31st January 2017**

P.C.

1 The above Writ Petition No.7999 of 2016 is not on board today, with the consent of the learned counsel for the parties, the same is taken on board.

2 In view of the fact that a remedy by way of a second Revision is available to the Petitioner before the State Government, it is not necessary to entertain the above Petitions. Since the principal grievance of the Petitioner is that the second Appellate Authority i.e. the Additional Collector has without

considering the aspect of delay dealt with the matter on merits. It is expected of the second Revisionary Authority i.e. the State Government that the said aspect would be dealt with by it whilst considering the second Revision to be filed by the Petitioner and pass a speaking order dealing with the said contention. The learned Senior Counsel appearing on behalf of the Petitioner states that the second Revision would be filed within a period of two weeks from date. If any such second Revision is filed, the Revisionary Authority would decide the same latest within eight weeks of the filing of the same. The learned Senior Counsel for the Petitioner states that the copy of the second Revision would be served on the learned counsel Shri Manoj Kadam appearing for the Respondent Nos.1 to 9 who would accept the same on behalf of the said Respondents. This would obviate the necessity of the notice being issued to the Respondents. In the event the issue of limitation arises, the fact that the Petitioner was prosecuting the instant Petitions in this Court can be urged by the Petitioner. The ad interim order which is in operation would continue to operate for a period of three weeks from date. The Petitioner may thereafter apply for interim relief before the Revisionary Authority. With the aforesaid directions, the above Petitions are disposed of.

3 Parties to act upon an ordinary copy of this order duly authenticated by the Court Associate/Sheristedar.

[R.M.SAVANT, J]