

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.1133 of 1997**

Shri.Chandrakant Baburao Phadtare ...Petitioner  
Versus  
The Tahsildar, ... Respondent

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None for the Petitioner

Mr.Manish M.Pabale AGP for Respondent No.1,2 and 4

**CORAM: A.S.Oka,J**

**DATED: 16<sup>th</sup> May 2017**

**PC:-**

1. Called out for final hearing. Office remarks of 7<sup>th</sup> November 2008 show that the court service notice has been served upon the Petitioner.

2. The challenge in this petition under article 227 of the Constitution of India is to the order dated 23<sup>rd</sup> January 1995 by which the Petitioner was granted permission to use for non-agricultural purposes an area of 1400 sq.meters out of the land bearing gat No.524 totally admeasuring 8800 Ares situates at village Pusegaon, tq. Khatav, District Satara. The

challenge is only to that part of the order by which non agricultural assessment was fixed at Rs.2.23 per sq.meter. The order fixing non agricultural assessment has been passed under the Maharashtra Land Revenue Code, 1966. Efficacious remedies of two Appeals and two Revision applications are available under the said Code. Hence, this Writ Petition under Article 227 of the Constitution of India need not be entertained .

3. Accordingly, the Petition is disposed of while keeping the statutory remedies expressly open. Rule is discharged accordingly. There is no order as to costs.

( A.S.Oka,J)