

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12541 OF 2016

Shri Haribhau Shankar Gaikwad .. Petitioner
VS.
Smt. Jayabai Eknath Gaikwad & Ors. .. Respondents

Mr. Balasaheb Deshmukh for Petitioner.
Mr. S. H. Kankal – AGP for Respondent No. 28.

CORAM : M. S. SONAK, J.
DATE: 21 SEPTEMBER 2017

P.C :

- 1] Not on board. In view of urgency, taken on production board.
- 2] In view of the decision of the Division Bench of this Court in the case of ***Gurudassing Nawoosing Panjwani vs. The State of Maharashtra & Ors.***¹, which decision has been upheld by the Hon'ble Supreme Court in ***Civil Appeal No. 5102 of 2006 vide judgment and order dated 6 November 2015***², the petitioner has a remedy of instituting yet another revision application under Section 257 of the Maharashtra Land Revenue Code (MLRC).
- 3] In view of the alternate and efficacious remedy available to the petitioner, there is no necessity to entertain the present petition.

1 2005 SCC On Line Bom. 1679.

2 2016 (1) Bom. C.R. 264 (SC)

However, the petitioner will have the liberty to institute second revision application under Section 257 of the MLRC. If such revision application is instituted within a period of two weeks from today, the revisional authority to decide the same on its own merits without adverting to the issue of limitation.

4] It is made clear that this Court has not examined the merits of the matter which are open for determination before the revisional authority in accordance with law and on their own merits.

5] This petition is disposed of with liberty as aforesaid.

6] All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)