

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

WRIT PETITION NO.4276 OF 2017

Shri.Shankar Appaji Ravan ...Petitioner
V/s.
Shri.Shivaji Janba Ravan & Ors. ...Respondents

Mr.S.Phatak for Mr.P.N. Bhargude for the Petitioner.

Mr.G.M. Mohite for Respondent Nos.1 to 5,7,8 & 9.

Mr.Manoj Patel for Respondent No.10.

Mr.S.D. Rayrikar, AGP for Respondent No.14.

CORAM : M. S. SONAK, J.

DATE : 19th SEPTEMBER 2017

P.C.

1. Not on board. Upon production, taken on board.
2. Without going into the issue as to whether the Sub-Divisional Officer can exercise revisional jurisdiction under Section 23 of the Mamlatdars Court Act or whether the jurisdiction of the Collector can be delegated to the Sub-divisional Officer to exercise powers under Section 23 of the Mamlatdars Court Act, interests of justice will be met, if the impugned order dated 08th November 2016 made by the Sub-Divisional Officer is set aside and the petitioner is

given liberty to institute a Revision before the Additional Collector, Kolhapur, within a period of four weeks from today.

3. The Additional Collector, to examine whether there is any delegation in favour of any other authority to entertain Revision under Section 23 of the Mamlatdars Court Act. If there is delegation, the Additional Collector, is always at liberty, to make over such Revision Petition to such Authority.

4. The interim order granted by this Court stands extended for a period of four weeks from today.

5. The Revisional Authority to examine the Revision Application on its own merits and in accordance with law.

6. With the aforesaid liberty and direction, this petition is disposed of. There shall be no order as to costs.

7. After this order was dictated, the learned counsel for the respondent requests that some time limit be stipulated to dispose of this Revision Application. He states that he will have no objection to the continuation of the interim order until the disposal

of the Revision Application.

8. In view of the aforesaid, the revisional authority is directed to dispose of the Revision within a period of three months from the date petitioner files Revision Application. The petitioner, to make the Revision Application within a period of 15 days from today.

9. The petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)