

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1039 WRIT PETITION NO. 8310 OF 2017

NABAJI GOPALA KORADE AND OTHERS
VERSUS
BABURAO GOVINDA KORADE AND OTHERS

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Adv. for Petitioners : Ms. Shubhangi D. More h/f Ms. Suvarna M. Zaware
Advocate for Respondents 1 to 3 : Mr. S.K. Shinde
AGP for Respondents 5 and 6: Mr. S.N. Kendre

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CORAM : V. K. JADHAV, J.
DATED : 13th APRIL, 2018

PER COURT:-

1. Learned counsel for the petitioners, on instructions, seeks leave to withdraw this writ petition with liberty to file revision before the State Government under section 259 of the Maharashtra Land Revenue Code, 1966. Learned counsel submits that the District Superintendent of Land Records, Ahmednagar after condoning the inordinate delay of 36 years is making haste in disposing of the appeal and as such the present petitioners may be protected till filing and disposal of revision application, as aforesaid and the time spent in pursuing the present writ petition may also be directed to be considered.

2. I have also heard learned counsel for respondent Nos. 1 to 3 and learned A.G.P. for respondent Nos. 5 and 6.

3. In view of above submissions and since there is efficacious alternate remedy available to the petitioners, leave granted. The writ petition is disposed of as withdrawn with liberty to prefer revision before the State Government under Section 259 of Maharashtra Land Revenue Code, 1966.

4. If such revision is preferred within four weeks from today, the revisional authority shall consider the time spent in pursuing the present writ petition and entertain the revision as filed within limitation and till filing of the revision, interim protection granted by this Court in the form that the District Superintendent of Land Records, Ahmednagar shall not proceed with the pending appeal, is extended.

5. Writ petition is disposed of. No costs.

(V. K. JADHAV, J.)

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