

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10118 OF 2018

SUBHASH DADARAO DIVE
VERSUS
MUDRIKABAI PANDITRAO DIVE AND OTHERS

...

Advocate for the Petitioner : Shri Venjane Tukaram M..

Advocate for Respondent 1 : Shri S.B.Jadhav.

AGP for the State : Shri S.R. Yadav.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 06th September, 2018

Per Court:

1 The learned Advocate for the Petitioner has gone through the judgment of the Honourable Supreme Court delivered in *Gurudassing Nawoosing Panjwani vs. State of Maharashtra and others, 2016 (2) SCC 213*, which provides for a statutory second revision under Section 257 of the Maharashtra Land Revenue Code. The Petitioner, therefore, desires to avail of the said remedy, more so in the light of the fact that the Authorities have handed over the possession of the property at issue to the Respondents pursuant to the decree at issue.

2 In view of the above, this Writ Petition is disposed of so as to enable the Petitioner to initiate a revision proceeding under Section 257. Delay, if any, in filing the said revision would be considered by the said

Revisional Authority on its own merits after considering the contentions of the litigating sides.

3 Needless to state, as the handing over of possession of the property at issue has occurred during the pendency of this writ petition, such developments would be subject to the litigation being pursued by the Petitioner.

4 All contentions of the litigating sides are kept open.

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(RAVINDRA V. GHUGE, J.)

Kalyan
Prakash
Sangvikar

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