

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

WRIT PETITION NO. 12188 OF 2017

**MAINABAI PANDURANG PATIL
VERSUS
SUNDRABAI BHIMRAO PATIL AND ANOTHER**

**WITH
CONTEMPT PETITION NO. 295 OF 2018 IN
WRIT PETITION NO. 12188 OF 2017**

**MAINABAI PANDURANG PATIL
VERSUS
SMT. SUREKHA NANDE AND ANOTHER**

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Advocate for the Petitioner : Dr. Shri S. D. Tawshikar
Advocate for Respondent No.1 : Shri C. K. Shinde
Advocate for Respondent No.2 : Shri Shaikh M. A. Jahagirdar
AGP for Respondent No.3 : Shri S. K. Tambe

**CORAM : RAVINDRA V. GHUGE, J.
DATED : 10th AUGUST, 2018.**

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PER COURT :

1. The learned AGP has placed on record a communication dated 10/08/2018 addressed to him by the Tahsildar, Naigaon who is respondent No.1 in the Contempt Proceeding. It is stated in the said communication that the position existing as on date of the order of this Court (Coram : V. K. Jadhav, J.), on 30/11/2017, has now been restored.

2. There is no dispute that the present petitioner has a statutory remedy in the form of a Second Revision before the State under Section 257 of the MLR Code. The learned Advocate for the petitioner submits that he would prefer such a Revision within 4 weeks from today.

3. The learned AGP submits that the said Tahsildar Smt. Surekha Nande could not remain present in this Court in view of the law and order situation on account of the agitation and an apology is tendered.

4. Considering the above, this Writ Petition as well as the Contempt Petition are disposed off with liberty to the petitioner to approach the revisional authority under Section 257 of the MLR Code within 5 weeks from today.

5. After the lodging of the revision proceedings, the time spent by the petitioner in this Court from 08/09/2017 till the passing of this order shall be considered as a good ground for condonation of delay, if any.

6. The competent authority is at liberty to decide the said Revision proceedings on their own merits after hearing all the litigating sides, within six months from the date of the lodging of the said proceedings.

7. The ad interim relief, granted by this Court on 15/12/2017 shall continue for a further period of 10 weeks in view of the above order and any application for interim relief filed by the revisional petitioner, shall be considered by the competent authority on its own merits and without being influenced by the ad interim relief granted earlier by this Court on 15/12/2017.

(RAVINDRA V. GHUGE, J.)

shp/-