

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 8810 OF 2014****Mahadev K. Salgar****..... Petitioner****VERSUS****Popat P. Kale****..... Respondent**

Mr.Rajesh S. Jadhav for the Petitioner.

Mr.Ashish S. Gaikwad, a/w. Ms.Bhavana Khichi, Mr.Abhishek R. Mishra for the Respondent no.1.

CORAM : R.D. DHANUKA, J.**DATE : 13th AUGUST, 2018****P.C.**

Learned counsel appearing for the respondent pointed out that the second revision application is maintainable under section 257 of the Maharashtra Land Revenue Code, 1966 against the order passed by the learned Additional Commissioner, Pune.

2. In my view, the second revision application is maintainable under section 257 of the Maharashtra Land Revenue Code, 1966 against the said order passed by the learned Additional Commissioner, Pune on 19th November,2013.

3. Learned counsel appearing for the petitioner at this stage seeks liberty to withdraw this writ petition with liberty to file a second revision application under section 257 of the Maharashtra Land Revenue Code, 1966 before the learned Minister, Revenue. The said

revision application shall be filed within two weeks from today and a copy thereof shall be served upon the respondent's advocate within one week from the date of filing such revision application.

4. It is made clear that this court has not expressed any views on the merit of the matter. All contentions of both the parties are kept open.

5. If any application for condonation of delay is filed, the learned Minister shall consider the fact that the petitioner was proceeding with this petition in good faith and with due diligence.

6. Writ petition is dismissed as withdrawn with liberty as prayed. No order as to costs.

[R.D. DHANUKA, J.]