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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.614 OF 2018
IN
WRIT PETITION NO.4051 OF 2017

Jaywant H. Patil (Pimple) & Ors. ...Applicants

IN THE MATTER BETWEEN :

Jaywant H. Patil (Pimple) & Ors. ...Petitioners

V/s.

Moreshwar H. Patil (Pimple), since deceased
through His L.Rs. - Mrs.Malti M. Pimple & Ors. ...Respondents

Ms.Payal Jain i/b Ms.Neeta Karnik for the Applicants / Petitioners.

Mr.Vishal V. Kanade i/b Mr.S.S. Gawde for the Respondent No.2.

Mr.V.A. Madane, A.G.P. for the State – Respondent Nos.3 to 5.

CORAM : R.D. DHANUKA, J.

DATE : 8TH JUNE, 2018.

P.C. :-

1. Heard learned counsel appearing for the parties.

Mr.Kanade, learned counsel appearing for the respondent no.2 states that he has no objection if the legal heirs of the respondent no.1 are brought on record. The statement is accepted.

2. The civil application is made absolute in terms of prayer clause (a). The amendment to be carried out within one week from today. The civil application is disposed of in aforesaid terms. There

shall be no order as to costs.

3. Mr.Kanade, learned counsel appearing for the respondent no.2 raises an objection about the maintainability of the writ petition itself on the ground that alternate remedy by way of second revision under section 257 of the Maharashtra Land Revenue Code, 1966 is available to the petitioners. Learned counsel appearing for the petitioners seeks time to consider this objection on the next date.

4. Place the writ petition on board for directions on 13th June, 2018.

(R.D. DHANUKA, J.)