

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (STAMP) NO. 13241 OF 2016

Sunil Yashwant Rokade	... Petitioner
Versus	
State of Maharashtra and others	... Respondents

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Mr. Jitendra B. Mishra for Petitioner.
Mr. S. D. Rayarikar AGP for Respondent Nos. 1 and 5.

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CORAM : M. S. SONAK, J.

DATE : 27th APRIL, 2018

P. C.:

1. Heard learned Counsel for the parties.
2. Learned Counsel for the Petitioner states that in the impugned order dated 30/09/2015 it is incorrectly recorded by the Revisional Authority that the Petitioner agreed to refer the case to the Special Recovery Officer who was impleaded as Respondent No.3 in the revision application. He submits that what was agreed was a remand to the Assistant Registrar who was Respondent No.2. Learned Counsel for the Petitioner submits that this is the only correction which the Petitioner seeks in this Petition.

3. Since, the impugned order specifically states that during the course of hearing the applicant had agreed for reference of the case to the Special Recovery Officer, it is only appropriate that the Petitioner moves the revisional authority and seeks for appropriate clarification/correction. The record, even before a quasi-judicial authority is sacrosanct and the same cannot be questioned for the first time by instituting an appeal or a petition before the higher forum. The party who alleges that there has been some wrong recording, is required to approach the authority which has made the order in the first instance. This, in fact, the principle laid down by the Hon'ble Supreme Court in the case of *A.R. Antulay Vs. R.S.Nayak and another* reported in **1988 AIR 1531**. It has been held that this principle will also apply to the records before the quasi-judicial authority.

4. For aforesaid reasons, this petition cannot be entertained. Liberty is granted to the Petitioner to take appropriate steps before the revisional authority.

5. With liberty as aforesaid this petition is disposed of with no order as to costs.

6. All contentions for all parties are kept open.

(M. S. SONAK, J.)