

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2783 OF 2016

**Namdeo Sakharam Burkul,
Since deceased through legal heirs
and representatives & Anr.**

..... Petitioners

VERSUS

State of Maharashtra & Anr.

..... Respondents

Mr.Uday P. Warunjikar for the Petitioners.

Mr.S.H.Kankal, A.G.P. for the State – Respondent no.1.

Mr.P.N.Joshi for the Respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 8th AUGUST, 2018

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 5th March,2015 passed by the learned Additional Commissioner allowing the revision application filed by the respondent no.2.

2. Mr.Joshi, learned counsel for the respondent no.2 states that the said order passed by the respondent no.1 is already implemented and the name of his client is already recorded in the 7/12 extract on 13th May,2015 itself.

3. In my view, the right, title and interest of the petitioners, if any, in the property can be adjudicated in a civil suit.

4. If any civil suit is filed by the petitioners, the observations made by the authority will not come into the way of the petitioners.

5. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]