

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10100 OF 2017**

Gopal Nana Alhat & Ors.

..Petitioners

versus

The State of Maharashtra & Ors.

..Respondents

Mr. Shivaji Kurup i/b. M/s. Kurup Shivaji & Co. for Petitioners.

Mr. B. V. Samant - AGP for State.

**CORAM: S. C. DHARMADHIKARI &
SMT. BHARATI HARISH DANGRE, JJ.
DATE : 31ST JANUARY, 2018**

P. C. :

1] After having heard the petitioners Advocate, we do not find any perversity or an error of law apparent on the face of the record in the order passed by the State Government dismissing the petitioners appeal.

2] It is apparent from a reading of the order that the State Government is of the view that there is a civil suit filed, namely, suit no. 971 of 2010 in the Court of Civil Judge, Senior Division, Pune. The issue raised in the appeal is subject matter of that suit and which is a substantive suit. The jurisdiction of the Civil Court in these matters is such that it is the only forum which can adjudicate upon the issue of right, title and interest in the immovable property. The Authorities under the Maharashtra Land Revenue Code have to abide by that adjudication. In such circumstances, we do not think that writ petition can be entertained. It is entirely misconceived. It is dismissed.

(SMT. BHARATI H. DANGRE, J.)

(S. C. DHARMADHIKARI, J.)