

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9000 OF 2019

**GANGUBAI GENU KHANDAGALE
VERSUS
KANTABAI YOUHAN KHANDAGALE AND OTHERS**

...
Advocate for the Petitioners : Shri R. P. Phatke
AGP for Respondent No. 4 : Shri N. T. Bhagat
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 24th JULY, 2019.

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PER COURT :

1. The petitioner is aggrieved by the order dated 30/04/2019, passed by the Sub Divisional Officer, Ahmednagar, by which, the delay of 4 years and 11 months caused in challenging the mutation entry No. 6194 dated 16/05/2013, has not been condoned.

2. The learned AGP submits that the petitioner has an efficacious statutory remedy as per Schedule E under Section 247 of the MLR Code. The impugned order passed by the SDO can be subjected to a proceeding before the Additional Collector.

3. As such, this petition is disposed off with liberty to the petitioner to avail of the statutory remedy as is permissible in law. In the event of any issue of delay arising in the said matter, the time spent by the petitioner in this Court from 27/06/2019 till the passing of this order, shall be a ground for seeking condonation of delay.

(RAVINDRA V. GHUGE, J.)

shp/-