

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

905 WRIT PETITION NO.6010 OF 2019

VILAS SHESHRAO DHONDAPURE
VERSUS
PRAKASH SHESHRAO DHONDAPURE AND OTHERS

...

Advocate for Petitioner : Mr. Gadekar Anant D.
AGP for Respondents State: Mr. K. B. Jadhavar

CORAM : ANIL S. KILOR, J.

DATE : 30th August, 2019

ORDER:

1. This petition filed by the petitioner challenging the order passed by the Additional Divisional Commissioner, Aurangabad in Revision under section 257 of the Maharashtra Land Revenue Code, 1966 filed against the order passed by the Collector dated 21.04.2016 in relation to the dispute relating to entry of land to the extent of 40 R in 7/12 extract from Survey No.72 in the year 1976-77.

2. Mr. Jadhavar, learned A.G.P., pointed out the judgment of the Hon'ble Supreme Court in the case of **Gurudassing Nawoosing Panjwani Vs. State of Maharashtra** reported in **2015 (6) Mh.L.J.915**, holding that the second revision is maintainable before the State Government. Counsel for the petitioner fairly admits that the said judgment is applicable to his case and requested for withdrawal of the

present writ petition with liberty to approach the State Government by way of revision.

3. The liberty is granted. Time of four weeks to file revision, if the petitioner so desires, is granted.

4. In case the petitioner files revision before the State Government within four weeks, the State Government may consider it on its own merits and also consider the delay in filing the revision in the light of the fact that the petitioner has wrongly filed the present petition and time spent in the present petition.

5. Writ petition is accordingly disposed of as withdrawn. No costs.

(ANIL S. KILOR, J.)

JPC