

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

WRIT PETITION NO. 2368 OF 2018

Smt.Akkatai Nivrutti Gavali & Anr.	...	Petitioners
V/s.		
State of Maharashtra & Ors.	...	Respondents

Mr.S.P. Kadam i/b. Mr.D.V. Sutar for Petitioners.
Ms.V.S. Nimbalkar, AGP for Respondent Nos.1 to 3-State.

CORAM : A.S. GADKARI, J.

DATE : 26th June 2019.

P.C. :

1] At the outset, the learned AGP raised a preliminary objection that, against the impugned Order dated 22/12/2017 passed by the Tahsildar, an appeal would lie under Section 247 of the Maharashtra Land Revenue Code, 1966, before the Collector of the District.

2] In view thereof, the learned counsel for the petitioners, on instructions, seeks leave to withdraw the petition with liberty to file a substantive appeal before the Collector, Kolhapur against the impugned Order.

Leave and liberty granted.

3] Petition is disposed off as withdrawn.

4] It is however made clear that, this Court has not adjudicated upon the issues involved in the petition and on the basis of the preliminary objection raised by the learned AGP, the petitioners are relegated to adopt alternate remedy.

5] Ad-interim relief, granted by order dated 28th February 2018, shall remain in force for a period of four weeks from today.

[A.S. GADKARI, J.]