

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3720 OF 2018**

Tanaji Anna Londhe
(Decd.) Through LRs. & Anr.

.....Petitioners.

Vs.

The State of Maharashtra & Ors.

.....Respondents.

Mr. R.V. Bansode for the Petitioners.

Mr. S.D. Rayrikar AGP, for the Respondent Nos. 1 to 5-State.

Mr. S.R. Ghanavat i/by Mr. V.S. Talkute for the Respondent Nos. 9A, 8A, 8B, 8C and 8D.

CORAM : A. S. GADKARI, J.

DATE : 29th JULY, 2019.

P.C.:-

The impugned Order dated 21st July, 2016, is passed by the Deputy Commissioner, Pune Division, Pune under Section 257 of the Maharashtra Land Revenue Code, 1966 (for short, “the Code”).

2 At the outset, the learned AGP raised a preliminary objection and submitted that, in view of the decision of the Hon'ble Supreme Court in the case of *Gurudassingh N. Panjwani Vs. State of Maharashtra & Others*, reported in (2016) 2 SCC 213, a further Revision under Section 257 of the Code, is maintainable before the State Government and without availing the said remedy, the

Petitioners have approached this Court.

3 In view thereof, the learned counsel for the Petitioners, on instructions, seeks leave to withdraw the present Petition with liberty to file a substantive Revision before the State Government under Section 257 of the Code.

Leave and liberty granted.

4 Writ Petition is accordingly disposed off, as withdrawn with aforesaid liberty.

It is needless to mention that the concerned Authority will give benefit under Section 14 of the Limitation Act to the Petitioners for the period spent in prosecuting the present remedy before this Court.

(A.S. GADKARI, J.)