

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11486 OF 2018

Sohail Ahmed Nihal Ahmed and Ors. ..Petitioners.

V/s.

State of Maharashtra through CP and Ors. ..Respondents.

Mr.Manoj Harit I/b Manoj Harit and Company for the petitioners.

Mr.S.D. Rayrikar, AGP for the State.

Mr.N.R. Bubna for respondent nos. 2 to 5.

CORAM: A.S. GADKARI, J.

DATE : 5th July, 2019.

P.C.:-

The order impugned herein is passed by the Additional Commissioner, Nashik Division, Nashik under sections 247 and 257 of the Maharashtra Land Revenue Code.

2 At the outset, the learned counsel appearing for respondents raised a preliminary objection and submitted that, in view of the decision of the Hon'ble the Supreme Court in the case of

Gurudassingh N. Panjwani Vs. State of Maharashtra & Others, reported in (2016) 2 SCC 213, a substantive second Revision would be maintainable before the State Government.

3 In view of the said objection, the learned counsel for the petitioners, on instructions, seeks leave to withdraw the petition with liberty to file a substantive Revision before the State Government.

Leave and liberty granted.

Petition is disposed off as withdrawn with afore-stated liberty.

4 It is, however, made it clear that, this Court has not adjudicated issues involved in the petition and the petition is disposed off only on the ground of preliminary objection raised by the respondents in view of the afore-stated decision of the Hon'ble Supreme Court.

(A.S. GADKARI, J.)