

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

WRIT PETITION NO. 13668 OF 2018

Motiram Ganpati Patil and ors.

.....Petitioners

v/s.

The State of Maharashtra and ors.

.....Respondents

Mr. Pranil Sonawane and Akshay Deshpande for the Petitioners.

Mr. V.S. Gokhale, 'B' Panel Counsel for State / Respondent

Nos.1 to 3.

Mr. P.K. Dhakephalkar, Sr. Advocate i/b. Mr. Swapnil Patil for
Respondent No.5.

Mr. S.R. Nargolkar with Mr. Arjun Kadam i/b. Ms. Sherrie Rebello
for Respondent No.6.

**CORAM: A.A. SAYED, AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATE : 21st NOVEMBER, 2019.

P. C. :-

. It is an admitted position that the Petitioners' Appeal under the provisions of Maharashtra Land Revenue Code before the Sub-Divisional Officer, Karad, challenging the order dated 26/06/2018 passed by the Respondent No.3 - Tahasildar is pending. We are told that in the said Appeal, stay has also been granted by the SDO, Karad to the order dated 26-06-2018.

2. The grievance of the Petitioners is essentially in respect of the mutation entries which is the subject matter in the pending Appeal. Notwithstanding the pendency of the Appeal, a prayer is

also made in the Petition challenging the very order dated 26/06/2018 passed by the Respondent No.3 – Tahasildar.

3. Since the Petitioners have not succeeded before the Tahasildar and their substantive Appeal is pending before the SDO, we are of the view that this is not a fit case to exercise the extraordinary writ jurisdiction of this Court to grant any reliefs prayed for in this Petition. Leaving all the contentions and remedies of the Petitioners open, we dismiss the Petition.

Preeti
H.
Jayani

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signed by
Preeti H.
Jayani
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(SMT. ANUJA PRABHUDESSAI, J.)

(A.A. SAYED, J.)