

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2071 OF 2018**

Kacharu Namdeo Ambekar & Ors.

.....Petitioners.

Vs.

Harischandra Namdeo Patole & Ors.

.....Respondents.

Mr. Sachin Kadam for the Petitioners.

Smt. V.S. Nimbalkar AGP, for the Respondent Nos. 4 and 5-State.

Mr. Prashant Patil for the Respondent Nos. 1 and 3.

CORAM : A. S. GADKARI, J.

DATE : 18th JUNE, 2019.

P.C.:-

At the outset, the learned AGP raised a preliminary objection about maintainability of the present Petition before this Court. She submitted that, against the impugned Order dated 29th November, 2016 passed by the Additional Commissioner, Nashik Division, Nashik, a Revision under Section 257 of the Maharashtra Land Revenue Code, 1966 (“*MLR Code*”) is maintainable before the State Government. In support of her contention, she relied on the decision of the Hon'ble the Supreme Court in the case of *Gurudassing Nawoosing Panjwani Vs. State of Maharashtra & Ors.* (2016) 2 SCC 213.

2 In view thereof, the learned counsel for the Petitioners, on instructions, seeks leave to withdraw the present Petition with liberty to file an Application under Section 257 of the MLR Code before the State Government.

Leave and liberty granted.

3 Writ Petition is accordingly disposed off, as withdrawn with aforesaid liberty.

(A.S. GADKARI, J.)