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

WRIT PETITION NO. 6338 OF 2002

Shri Daga Ganpat Sonawane

..Petitioner

Vs

Shri Sambha Anaji Devare

..Respondent.

Mr. P.N. Joshi for the Petitioner.

CORAM : A.S.GADKARI, J.

DATE : 10th July 2019.

P.C.:

1] By the present petition, the petitioner has challenged the impugned Order dated 4th January 2002 passed by the Secretary and Officer on Special Duty (Appeals) Revenue and Forest Department, Mumbai. By the said Order, it is held that, further Revision before the Government under Section 257 of the Maharashtra Land Revenue Code, 1966, is not maintainable.

2] The Apex Court in the case of *Gurudassingh N. Panjwani Vs. State of Maharashtra & Others*, reported in (2016) 2 SCC 213, while dealing with the provisions of Section 257, 247 and other related provisions of the said Code has held that, jurisdiction of the State is concurrent with the

jurisdiction of revenue officer in Revision. It is held that, in revenue matters, the State Government is supreme revenue authority. That power of revision exercised by any Revenue officer including the Commissioner is a proceeding by a subordinate officer and the State Government can satisfy itself as to the legality and propriety of any decision including the Order passed in revision by the Revenue officers.

3] In view thereof, the impugned Order dated 4th January 2002 is hereby quashed and set aside and the Revision No. 424 of 2001 is remanded back to the file of State Government for its decision afresh, as per the provisions of law.

4] It is needless to mention that, this Court has not dealt with the issue involved in the present petition on merits. The concerned Authority of the State Government dealing with the Revision under Section 257 of the said Code is hereby requested to expedite the hearing of the Revision No. 424 of 2001 filed by the applicant herein.

5] Writ Petition is disposed off in the aforesaid terms.

(A.S.GADKARI, J.)