

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

WRIT PETITION NO. 10458 OF 2018

Balaram Ambo Mhatre & Ors.	...	Petitioners
V/s.		
Shankar Ambo Bhoir & Ors.	...	Respondents

Mr.A.V. Chatuphale a/w. Ms.R.W. Correia for Petitioners.
Mr.Rohit Joshi for Respondent Nos.1 and 2.
Mr.Ashutosh Gole for Respondent No.3.
Mr.K.S. Dewal i/b. Mr.Jayesh Joshi for Respondent No.4.
Mr.S.D. Rayrikar, AGP for Respondent Nos.5 to 8-State.

CORAM : A.S. GADKARI, J.

DATE : 16th July 2019.

P.C. :

1] At the outset, Mr.Dewal, the learned counsel for the respondent No.4 raised a preliminary objection that, against the impugned Order dated 17th March 2017 passed by the Additional Commissioner, Konkan Division, Mumbai, under Section 247 of the Maharashtra Land Revenue Code, 1966, a substantive Revision under Section 257 of the said Act under the Code is maintainable before the

State Government and without availing the said remedy, the Petitioners have preferred the present Petition directly before this Court.

2] In view thereof, Mr.Chatuphale, the learned counsel for the Petitioners, seeks leave to withdraw the present Petition with liberty to avail the said alternate remedy available under the law.

Leave and liberty granted.

3] Petition is disposed off as withdrawn with aforesaid liberty.

4] It is needless to mention that, this Court has not adjudicated upon the issues involved in the present Petition and the present Petition is disposed off on the basis of the preliminary objection raised by the learned counsel for the respondent No.4 herein.

[A.S. GADKARI, J.]