

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

WRIT PETITION NO.9875 OF 2018

Pramod Bistir Mali since deceased
through legal heirs
1A Smt. Jayashri Pramod Mali and
Ors.

...Petitioners

Versus

The Divisional Konkan Commissioner
and Ors.

...Respondents

.....

Mr. P.M. Arjunwadkar for the Petitioners.

Mr. Sachin H. Kankal for the Respondent Nos.1 to 4.

Mr. Sandesh Patil I/b. Ms Anushka P. Amin for the Respondent Nos.5 to 8.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 16th JANUARY, 2019.

P.C.:-

The learned counsel for the Respondent Nos.5 to 8 submits that the Petitioners have alternative remedy of filing revision application under Section 257 of the Maharashtra Land Revenue Code, 1966. In the light of the above statement, the learned counsel for the Petitioner seeks leave to withdraw the petition with liberty to file revision application under Section 257 of the Maharashtra Land Revenue Code, 1966. He further submits that the interim relief was operating in favour of the Petitioner since 5.9.2018. Since the parties were directed to maintain status-quo and the order is operating till

today, he prays that same may be continued so as to enable him to seek interim relief before the revisional authority.

2. In the light of the above, the writ petition is dismissed as withdrawn. In the event, such revision is filed by the Petitioners within a period of two weeks with a prayer for interim relief, the revisional authority shall hear the concerned parties, and decide the prayer for interim relief within a period of two weeks from the date of filing of the revision application.

3. The interim relief granted by this court by order dated 5.9.2018 shall continue to operate for a period of four weeks from the date of filing of the revision application or till the date the revisional authority passes an order on an application for interim relief, whichever is earlier.

4. Both parties are directed to appear before the revisional authority on **4.2.2019**.

(SMT. ANUJA PRABHUDESSAI, J.)