

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

WRIT PETITION NO. 13043 OF 2018

Vibrant Realtors Pvt. Ltd.	...	Petitioner
V/s.		
The State of Maharashtra & Ors.	...	Respondents

Mr.Uday Prakash Warunjikar a/w. Ms.Pooja Joshi i/b. India Law Alliance for Petitioner.
Mr.Sandesh Patil i/b. Ms.Anusha Amin for Respondent No.12.
Ms.M.S. Bane, AGP for the State.

CORAM : A.S. GADKARI, J.

DATE : 23rd July 2019.

P.C. :

1] The Order impugned herein is passed by the Additional Commissioner, Konkan Division, Mumbai in RTS/Revision-632 of 2017 dated 12/03/2018 under Section 257 of the Maharashtra Land Revenue Code, 1966 (*hereinafter referred to as "M.L.R.C." for the sake of brevity*).

2] At the outset, the learned AGP raised a preliminary objection and submitted that, in view of the decision of the Hon'ble Supreme Court in the case of *Gurudassingh N. Panjwani Vs. State of Maharashtra*

& Others, reported in (2016) 2 SCC 213, further revision before the State Government is maintainable and without availing the said alternate remedy, the petitioner has approached this Court directly.

3] In view thereof, Mr. Warunjikar, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the present petition with liberty to file a substantive Revision before the State Government under Section 257 of the M.L.R.C. against the impugned order.

Leave and liberty granted.

4] Petition is disposed off as withdrawn with the aforesaid liberty.

5] It is needless to mention that, the petitioner will get benefit of Section 5 of the Limitation Act for the time spent in pursuing a remedy before this Court. It is to be noted here that, the present petition is disposed off on the basis of the preliminary objection raised by the learned AGP and this Court has not dealt with the merits of the present petition.

[A.S. GADKARI, J.]