

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

23 WRIT PETITION NO.6132 OF 2017

BAJIRAO MAHADEO MANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Devakate Anant R.
AGP for Respondents-State : Mr. A.B.Chate.

...

CORAM : V. K. JADHAV, J.
DATE : 24.02.2020

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. I have gone through the impugned order passed by the District Collector, Parbhani. The learned Collector has referred the Government Resolution dated 12.03.2013. On perusal of the Government Resolution dated 12.03.2013 (Exh-A) and after going through the provisions of Section 48(7) and 48(8) of the Land Revenue Code, 1966 and in terms of the ratio laid down by the Supreme Court in case of *Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and others ; [2015(6) Mh.L.J., 915]*, I am of the opinion that the alternate efficacious remedy is available to the petitioner.

3. In view of the same, the Writ Petition is disposed off with a liberty to the petitioner to avail the alternate efficacious remedy, in accordance with law. In case, if the alternate remedy is availed within a period of two (2) weeks, then the authority before whom the alternate remedy is availed shall consider the time spent in pursuing this Writ Petition to condone the delay caused in filing the appeal or revision, as the case may be. The petitioner would be at liberty to file an application before the said authority about the expeditious hearing of the appeal / revision and upon filing of such application, said authority may consider it.

4. Writ Petition is accordingly disposed off.

(V. K. JADHAV, J.)

...

vmk/-