

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.6486 OF 2020

Sham s/o Dhondu Sonawane

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.K.N.Shermale, advocate holding for Mr. Girish Nagori,
advocate for the petitioner.
Mr.A.R.Kale, AGP for the Respondents.

**CORAM : S.V.GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 22nd September, 2020.

PC :

1 Heard learned Counsel for the petitioner.

2 The appeal filed by the petitioner under Section 247
of the Maharashtra Land Revenue Code,1966, is dismissed.

3 The learned AGP submits that the petitioner has a
remedy of second appeal.

4 In fact, the petitioner ought not to have filed the
present writ petition and should have availed remedy under
Section 247 of the Maharashtra Land Revenue Code,1966. The

petitioner has further remedy under Section 257 of the Maharashtra Land Revenue Code, 1966. Only because some time is taken by the appellate authority in deciding the appeal, would not entitle the petitioner to file the present writ petition.

5 Writ Petition is disposed of with liberty to the petitioner to avail alternate remedy of filing of an appeal. All the contentions are specifically kept open. No costs.

6 In case, the petitioner files an appeal, the appellate authority shall take decision upon it expeditiously, preferably within three months from the date of filing of the appeal.

SHRIKANT D. KULKARNI
JUDGE

S.V.GANGAPURWALA
JUDGE

adb