

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

WRIT PETITION NO. 7325 OF 2017

Trimbak Keru Tokade and ors.	 Petitioners
v/s.	
The District Superintendent Land Records Nashik and ors.	 Respondents

Mr. Amey Deshpande for the Petitioners.
Mr. Pramod N. Joshi with Mr. Pratik B. Rahade for Respondent
Nos.2, 3, 9 to 13.
Mr. P.P. Pujari, AGP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATE : 09th SEPTEMBER, 2020.

P. C. :-

. The petitioners herein have challenged the order dated 17/04/2017 whereby the District Superintendent of Land Records, Nashik has condoned the delay in filing the appeal.

2. By order dated 03/07/2017, this Court had refused to grant any ad-interim relief and had observed that an alternative remedy was available under section 248 of the Maharashtra Land Revenue Code.

3. It has been brought to my notice that during the pendency of this petition, the appeal filed by the respondent has been disposed

of on merits. The petitioners herein have challenged the order dated 17/04/2017 as well as the order passed by the District Superintendent of Land Records, Nashik allowing the appeal, before Deputy Director of Land Records, Nashik in Appeal No.807/2018. Since the petitioners have already invoked the alternative efficacious remedy by way of filing the appeal, which is still pending, the writ petition is not maintainable and is accordingly dismissed. It is made clear that this Court has not gone into the merits of the matter. All points and contentions of the parties are kept open.

Preeti H.
Jayani

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Preeti H. Jayani
Date: 2020.09.11
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(SMT. ANUJA PRABHUDESSAI, J.)