

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2018 OF 2021
WITH
CIVIL APPLICATION NO. 3342 OF 2021

Bank of India,
Through its acting Chief Manager,
Ms. Priyanka Jadhav

...Petitioner

Versus

The State of Maharashtra and others

...Respondents

Mr Ajit B. Gaikwad (Patil), Advocate for Petitioner
Mrs P.V. Diggikar, AGP for Respondent Nos. 1 to 3
Mr A.M. Karad, Advocate for Respondent No. 4
Mr A.B. Girase, Advocate for Intervenor in CA No. 3342/2021

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

DATE : 9th MARCH, 2021

PER COURT :

1. The learned counsel for the petitioner submits that removing the charge of the petitioner-bank on the land owned by respondent No. 4 is illegal. The said property of respondent No. 4 is mortgaged with the petitioner-bank. The charge was validly created. The order removing charge is quashed and set aside.

2. We have heard the learned Assistant Government Pleader, Mr Karad, the learned counsel for respondent No. 4 and Mr Girase, the learned counsel for the intervenor.

3. The petitioner has remedy under section 247 of the Maharashtra Land Revenue Code to challenge any orders affecting the mutation entries or change in the revenue record.

4. In light of that, we are not inclined to entertain the writ petition on merits of the matter.

5. The writ petition is disposed of with liberty to the petitioner to avail the remedy as available under section 247 of the Maharashtra Land Revenue Code. In that event, all contentions of the parties are kept open. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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