

pvr

4-IA2323-21=wp5548-21.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.5548 OF 2021
and
INTERIM APPLICATION NO.2323 OF 2021
IN
WRIT PETITION NO.5548 OF 2021**

Mr.Raju Somu Rathod & Ors. Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Laxman K.Kalel, for the Petitioners.

Mr.S.H.Kankal, AGP for the State.

CORAM : G.S.KULKARNI, J.

DATE : 15th September, 2021.

PC.:

1. Heard the learned Counsel for the petitioners and learned AGP for the State.
2. Challenge in this petition is to an interim order dated 10 March 2021 passed by the Mamlatdar. It is accepted by the learned Counsel for the petitioners that an alternative remedy of revision is available to the petitioners under the provisions of Section 23(2) of the Mamlatdars' Courts Act, 1906. It is also open to the petitioners to appear before the Tahasildar and by filing a reply to any interim

application filed by respondent nos.5 to 6 and contest the application and/or seek vacating of the ad-interim order as assailed in this petition.

It is for the petitioners to decide to adopt appropriate course of action.

3. The petition is accordingly disposed of with liberty to the petitioners to pursue appropriate proceedings. All contentions of the petitioners are expressly kept open.

4. Interim application also would not survive. It is accordingly disposed of.

(G.S.KULKARNI, J.)