

Bhogale

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

WRIT PETITION NO.3654 OF 2021

Satguru Corporate Services Pvt. Ltd.
(Erstwhile Somani & Company Pvt. Ltd.) .. Petitioner
vs.

Deputy Director of Land Records, Konkan
Region and ors. .. Respondents

Mr. Virag Tulzapurkar, Senior Advocate, Mr. Nikhil Sakhardande,
Senior Advocate a/w Mr. Abinash Pradhan, Mr. Nikhil Apte, Ms.
Garima Agrawal and Mr. Deepu Jojo I/b. Wadia Ghandy & Co. for
the Petitioner.

Mr. Surel Shah I/b. Mr. Yogesh Sankpal for Respondent Nos.4, 6, 7,
8 and 11.

Mr. Suryaprakash Mistry for Respondent No.17.

Mr. Makrand Kale a/w Mr. Nikhil Mengde and Mr. Piyush
Deshpande for Respondent No.5, 9, 10, 12 to 25.

Mr. P.P. Kakade, GP a/w Mr. C.D. Mali, AGP for the State.

CORAM : M.S.KARNIK, J.

DATE : AUGUST 3, 2021

P.C.:-

Heard learned counsel for the parties.

2. A preliminary objection is raised by Mr. Shah, learned
counsel appearing on behalf of Respondent Nos.4, 6, 7, 8 and 11
that against the order impugned there is a remedy of Revision

under Section 257 of the Maharashtra Land Revenue Code, 1966 before the State Government. It is the contention of Mr. Tulzapurkar, learned Senior Advocate that the remedy of filing a Revision may not be an alternate efficacious remedy. However, on instructions he submits that the Petitioner, nonetheless, is willing to file a Revision before the State Government. His apprehension is that in the meantime the impugned order will be acted upon causing prejudice to the Petitioner.

3. Mr. Shah submitted that the mutation entry, on the basis of the order dated 14.07.2019, has already been effected.

4. Be that as it may, as learned Senior Advocate for the Petitioner submitted that the Petitioner would be filing a Revision before the State Government and in any case on or before 06.08.2021, the present Writ Petition can be disposed of by passing following order :-

ORDER

(i) In the event the Revision is filed by the Petitioner under Section 257 of the Maharashtra Land Revenue Code, 1966 against the impugned order before the State Government on or before 06.08.2021, the same be decided as expeditiously as possible on its own merits and in accordance with law. The Hon'ble Minister to decide the Revision taking into consideration all contentions raised

including the question of applicability of the Act. All contentions are kept open.

(ii) If the Petitioner applies for interim relief in the Revision to be filed, the prayer for interim relief be decided as expeditiously as possible and in any event within a period of three weeks from 06.08.2021.

(iii) For a period of four weeks from today, the order impugned in this Petition dated 14.07.2021 shall remain stayed. If the same is implemented, the revenue entry shall not be acted any further for a period of four weeks from today.

5. All rights and contentions of all the parties are kept open.
6. The Writ Petition is disposed of.

(M.S. KARNIK, J.)