

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3077 OF 2022

JANKU BALA BACHKAR AND ANOTHER
VERSUS
SANGITA RAJU DEOKATE AND OTHERS

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Advocate for Petitioners : Mr. D. R. Adhav
Advocate for Respondents No.1 and 2 : Mr. Manoj A. Dond
AGP for Respondents No. 17 to 20 : Mr. Y. G. Gujrathi

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CORAM : NITIN B. SURYAWANSHI, J.
DATE : 02-03-2022

PER COURT :-

Mr. M. A. Dond, the learned Advocate for respondents No.1,2 raised objection as to the maintainability of present petition by placing reliance in the decision of the Supreme Court in *Gurudassing Nawoosing Panjwani Versus The State of Maharashtra and others, 2016(2) SCC 213*, and the order dated 05.02.2018 passed by the Co-ordinate Bench of this Court, in *Shri. Balasaheb Rakhmaji Gaikwad Versus Shri. Bhaurao Ananda Gaikwad and others, (Writ Petition No. 7712 of 2017)*, wherein it is held that, the second revision is maintainable under Section 257 of the Maharashtra Land Revenue Code, 1966 ("the Code", in short) before the State Government.

2. Since the petitioners, in the present petition, are challenging the order passed by respondent No. 17 - Additional Divisional

Commissioner, Nashik Division, Nashik, in RTS/Revision No. 379 of 2020 (Rasta Case), the petitioners have alternate efficacious remedy of filing Revision before the State Government.

The learned Advocate for the petitioners, therefore, seeks permission to withdraw the petition with liberty to file Revision before the State Government under Section 257 of the Code, within a period of two weeks from today.

3. The learned Advocate for the petitioners, at this stage, seeks two weeks' protection, as they apprehend the execution of the impugned order.

4. The learned Assistant Government Pleader on instructions states that, the concerned Circle Officer has informed him that, till decision of this petition, the impugned order is likely to be executed.

5. In that view of the matter, the impugned order is stayed for a period of fifteen days, so as to enable the petitioners to approach the State Government.

6. Writ Petition is disposed of.

(NITIN B. SURYAWANSHI)
JUDGE