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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

72 WRIT PETITION NO.10971 OF 2021

PRABHAKAR SITARAM WADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Mr. K.D. Bade Patil, Advocate for petitioners;
Mr. P.K. Lakhotiya, A.G.P. for respondent nos.1 & 2;
Mr. K.F. Shingare, Advocate for respondent nos.3 & 4

**CORAM : A.S. GADKARI
AND
S. G. MEHARE, JJ.**

DATE : 10th January, 2022

P.C.

1. Petitioners have impugned Order dated 7.9.2021 passed by District Superintendent of Land Records, Beed. Section 247 of the Maharashtra Land Revenue Code, 1966 read with Schedule E thereof, prescribes Director of Land Records or the Deputy Director of Land Records, who may be invested with the powers of Director of Land Records by the State Government in that behalf is the appellate authority. Without availing the said alternative statutory remedy of preferring an appeal against the impugned order before the said concerned authority, petitioners have

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directly rushed to this Court invoking jurisdiction under Article 226 of the Constitution of India for impugning the said Order.

2. As noted above, the petitioners are having substantive alternative statutory remedy at their disposal to file Appeal against impugned Order.

In view thereof, we are not inclined to interfere with the impugned order.

3. By reserving the remedy of the petitioners to file an appeal before the authority under Section 247 of the Maharashtra Land Revenue Code, petition is disposed off.

4. It is made clear that, this Court has not adjudicated into the merits of the petition and is disposed off on the aforesaid ground alone.

(S. G. MEHARE, J.)

(A.S. GADKARI, J.)

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