

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

945 WRIT PETITION NO.11619 OF 2021

**BHAVANI BALASAHEB BHONDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. A.B. Kharosekar
AGP for Respondent / State : Mrs. R.P. Gour
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 04-08-2022

PER COURT :

1. The petitioner is challenging the order passed by the Tahsildar in purported exercise of the powers under Section 48 (7) and 48 (8) of the Maharashtra Land Revenue Code, 1966.

2. The learned advocate for the petitioner vehemently submits that a bogus panchanama was conducted for ulterior reasons and the impugned order has been passed. He submits that there is absolutely no material to demonstrate that mines and minerals were being transported.

3. We cannot go into the dispute as regards facts. In what circumstances panchanama was conducted cannot be considered and

decided in this petition. Since the final order has been passed by the Tahsildar under the Maharashtra Land Revenue Code, an efficacious and alternate remedy in the form of statutory appeal and revision provided under Chapter-XIII of the Code is available. The Writ Petition is not maintainable.

4. The Writ Petition is dismissed with liberty to the petitioner to prefer statutory appeal. All the issues are kept open. Time spent in prosecuting the writ petition may be considered under Section 14 of the Limitation Act, 1963.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)