

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7904 OF 2021

Ashish Khandu Kute & Anr.

...Petitioners

Vs.

State of Maharashtra & Ors.

...Respondents

Ms.Manjiri S. Parasnis for the Petitioners.

Mr.A.P. Vanarse, AGP for the Respondent Nos.1 to 3-State.

Mr.U.B. Nighot, for Respondent Nos.4 and 5.

CORAM : C.V. BHADANG, J.

DATE : 6 SEPTEMBER 2022

P.C.

. Heard for sometime.

2. The learned counsel for the Petitioners on instructions seeks leave to withdraw the Petition, as the Petitioners intend to approach the Revisional/Appellate Authority as provided under Section 247 read with Scheduled-E of the Land Revenue Code, against the impugned order. She states that the interim relief may be continued for a limited period, in order to enable the Petitioners to take recourse to the statutory remedy available to the Petitioners.

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3. In that view of the matter, the Petition is disposed of as withdrawn with no order as to costs.

4. It will be open to the Petitioners to take recourse to appropriate legal remedy if any available in law against the impugned order. If such an Appeal/Revision is filed the Appellate/Revisional Authority shall have due regard to the provisions of Section 5 read with Section 14 of the Limitation Act, and the pendency of this Petition from 29 September 2020 till today.

5. Interim relief granted on 14 December 2021 shall continue to operate for a period of three weeks, from today, in order to enable the Petitioners, to take recourse to appropriate remedy, if so advised.

6. Rival contentions of the parties are left open.

7. There shall be no order as to costs.

C.V. BHADANG, J.