

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1297 OF 2022**

Murlidhar Moreshwar Patil & Ors.

.....Petitioners

Vs.

The Additional Commissioner, Konkan Division & Ors.

.....Respondents

Mr. P. B. Shah i/by Mr. K. P. Shah for the Petitioners.

Mr. S. D. Rayrikar, AGP for State.

Mr. P. A. Pol i/by Pol Legal Juris for the Respondent Nos. 5 & 10.

CORAM : A. S. GADKARI, J.

DATE : 18th APRIL, 2022.

P.C.:-

At the outset, Mr. Pol, learned Advocate appearing for Respondent Nos.5 & 10 raised a preliminary objection and submitted that, against the impugned Order dated 29th July, 2021, passed in RTS Revision Application No.78 of 2020, a substantive Revision before the State Government is maintainable and without availing the said alternate remedy, the Petitioner has directly approached to this Court by invoking its jurisdiction under Article 227 of the Constitution of India.

2. In view thereof, Mr. Shah, learned Advocate for the Petitioners, on instructions seeks leave to withdraw present Petition with liberty to file a substantive Revision before the State Government under Section 257 of Maharashtra Land Revenue Code, as may be advised.

Leave and liberty granted.

The present Writ Petition is disposed off as withdrawn with aforesaid liberty.

3. It is needless to mention that, the Petitioners will get benefit as contemplated under Section 14 of the Limitation Act for the time spent in pursuing present Petition before this Court.

(A.S. GADKARI, J.)