

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 2923 OF 2020

(Sampat Bhagwan Tonde and another ..vs.. The State of Maharashtra, through its Secretary, Revenue and Land Records, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C.N. Adgokar, Counsel for the petitioners,
Mr. S.M. Ukey, Addl.G.P. for respondents 1 to 5,
Mr. R.R. Srivastava, Counsel for respondents 6 to 8(i), 9 to 12.

CORAM : ROHIT B. DEO, J.

DATED : 07-04-2022

The order impugned is passed by the Commissioner in exercise of appellate power under Section 247 of the Maharashtra Land Revenue Code, 1966 (Code).

2. The Commissioner has set aside the order of the Sub-Divisional Officer whereby the record of the boundaries of the fields in question were directed to be corrected. The Sub-Divisional Officer did not act as an appellate authority, rather he acted as the first authority and, therefore, in view of the provisions of Section 248 of the Code, there is a further appeal, which lies to the State Government.

3. The petition is dismissed with liberty to the petitioner to approach the State Government.

4. The interim order, which is operating, shall continue for fifteen days next and shall automatically stand revoked on 22-4-2022.

JUDGE

adgokar