

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 WRIT PETITION NO.8644 OF 2018

PANDURANG KONDAJI DEVKATE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Nagargoje Prashant M.
AGP for Respondents-State : Mr. G. O. Wattamwar
Advocate for Respondent No.5 : Mr. S. S. Deshmukh
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 23rd January, 2023

PER COURT :

1. The learned Advocate appearing for the respondent No.5 and the learned AGP objects to the petition on account of the fact that an alternate remedy as contemplated under Section 247 of the Maharashtra Land Revenue Code read with Schedule (E) is available to the petitioner to challenge the impugned order.
2. The petitioner submits that he has also filed an application before the Divisional Commissioner which is not registered and in terms of the Schedule (E) read with Section 247 of the Maharashtra Land Revenue Code, appeal against impugned order lies before the Sub Divisional Officer.

3. In view of the same, the petitioner seeks leave of this Court to withdraw the present writ petition so as to approach before the appropriate authority i.e. the Sub-Divisional Officer, to challenge the impugned order.

4. The petitioner submits that in view of the interim orders passed by this Court, which is in operation from 1st of August, 2018, the same may be continued for three weeks from today.

5. The petition is permitted to be withdrawn with liberty to approach the appropriate authority.

6. The interim order passed by this Court to continue for three weeks from today.

7. The petition is disposed of as withdrawn with above directions.

(ARUN R. PEDNEKER, J.)

vj gawade/-.