

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

3 WRIT PETITION NO.3773 OF 2021

**KADUBA BHAGAJI PANDHARE & ANOTHER
VERSUS
DIVISIONAL COMMISSIONER, AURANGABAD & OTHERS**

...
Advocate for the petitioners : Mr.B.G.Lathe
AGP for Respondent-State : Mr.G.O.Wattamwar
...

CORAM: ARUN R. PEDNEKER, J.

DATE: 20th FEBRUARY, 2023

PER COURT:

1] The learned counsel for the petitioners submits that there is delay in the range of 9 to 29 years in filing the appeal before the Additional Commissioner, Aurangbad under Section 247 of the Maharashtra Land Revenue Code to challenge four mutation entries and the same has not been condoned by the authorities below. The learned counsel for the petitioners further submits that there is a civil suit for declaration of right of ownership of the land, pending before the Civil Court in the respect of the same subject matter.

2] In view of the fact that there is a suit pending before the Civil Court between the parties, outcome of the Civil Suit would bind the revenue authorities.

3] In view of the same, nothing survives in this petition and the same stands disposed of with above observations.

[ARUN R. PEDNEKER, J.]

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