

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

16 WRIT PETITION NO.12235 OF 2023

SANDIP BHANUDAS ALIAS SURYABHAN SHINDE &
ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for Petitioners : Mr.K.N.Shermale
AGP for Respondent-State : Mr.N.T.Bhagat
Advocate for Respondent no.5 : Mr.S.K.Shinde

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CORAM : ARUN R. PEDNEKER, J.

DATE : 16.10.2023

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] The learned counsel appearing for the respondent no.5 has pointed out that alternate remedy of revision is available to the petitioners under Section 9 of the Maharashtra Money Lending [Regulation] Act.
- 3] In view of the submission made by the learned counsel for respondent no.5, the learned counsel for the petitioners seeks leave to withdraw the present Writ Petition, with liberty to avail remedy of revision before the

appropriate authority. The learned counsel further submits that the time spent in prosecuting the present Writ Petition be excluded under Section 14 of the Limitation Act for computing the period of limitation in filing revision before the appropriate authorities. The learned counsel further submits that possession be protected for short period so as to enable the petitioners to file revision before the appropriate authorities.

4] In view of the same, the present Writ Petition is disposed of as withdrawn with liberty as aforesaid.

5] The petitioners' possession over the suit land is protected for four weeks from today. It is further clarified that the protection granted today is not on merits of the matter. The protection is granted so as to enable the petitioners to file revision before the revisional authority. The Revisional Authority to decide any interim application filed by the petitioners on its own merits. If such revision is filed, the same be decided expeditiously.

6] The time spent in prosecuting the present Writ Petition to be excluded under Section 14 of the Limitation Act for computing the period of limitation in filing the appropriate proceedings before the authority.

[ARUN R. PEDNEKER]
JUDGE

DDC