



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

971 WP/3468/2022

**MAQBOOL PASHASAAB BAGWAAN AND ANOTHER
VS
VAZIR NABISAAB BAGWAAN THROUGH ITS POWER OF ATTORNEY HOLDER
MUJAMIL VAJIRSAAB BAGWAN AND OTHERS**

Advocate for petitioner : Mr. R.R. Deshmukh
AGP for Respondents 9 & 10 : Mr. N.S. Tekale
Advocate for respondent 1 : Mrs. A.N. Ansari

**CORAM : ARUN R. PEDNEKER, J.
DATED : 13/12/2023**

PER COURT :

1. Heard the learned counsel for the respective parties.
2. The learned counsel for the petitioner relies upon the judgment of this Court delivered in **Writ Petition No.6053/2019 dated 24.1.2022 (Mrs. Maharukh Jamshed Engineer Vs. State of Maharashtra & Ors.)** to contend that against the impugned order in this writ petition which is passed on application for condonation of delay, appeal lies under section 247 of the Maharashtra Land Revenue Code before the Deputy Director of Land Records.
3. The learned AGP submits that in view of the judgment of this Court, appeal is maintainable before the Deputy Director of Land Records under section 247 of the M.L.R. Code. The learned counsel appearing for private respondents also concedes that the order is challengable under section 247 of M.L.R. Code.
4. In view of the same, the impugned order dated 25.10.2021 passed

by the Deputy Director of Land Records, Aurangabad holding that the appeal is not maintainable under section 247 of M.L.R. Code is quashed and set aside. The matter is remitted back to the Deputy Director of Land Records, Aurangabad to decide the same in accordance with law. The writ petition is allowed and disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/