

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8806 OF 2023

Shri. Vinayak Dajiba Shitole ...Petitioners
(Since deceased through LRs)
a. Shri. Vitthal Vinayak Shitole & Ors.

V/s.

Smt. Samabai Vitthal Jagtap ...Respondents
(Since deceased through legal heirs)
1a. Shri. Kantilal Vitthal Jagtap
(Since deceased through legal heirs)
1a.1 Smt. Malan Kantilal Jagtap (wife) & Ors.

Mr. Sudhir Sadavarte, for the Petitioner.

Smt. V. S. Nimbalkar, AGP, for the Respondent No.8-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : SEPTEMBER 13, 2023**

P.C.:

1. At the outset, Smt. Nimbalkar, learned AGP appearing for the Respondent No.8-State raises preliminary objection. She submits that, there is alternate remedy of Revision under Section 257 of the Maharashtra Land Revenue Code, 1966 is available.

2. In view of the said objection, Mr. Sadavarte, learned counsel appearing for the Petitioners seeks withdrawal of the Writ Petition with liberty to file Revision.

3. Accordingly, the Writ Petition is allowed to be withdrawn with liberty to adopt appropriate proceedings. All the contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]