



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4976 OF 2022**

Anant Govind Bhoj and Anr.

....Petitioners

V/s.

State of Maharashtra and Ors.

....Respondents

Mr. Nitin Gaware Patil i/b. Mr. Sachin Hande for petitioners.

Ms. K.N. Solunke, AGP for respondent – State.

**CORAM : K. R. SHRIRAM &
NEELA GOKHALE, JJ.**

DATED : 26th OCTOBER 2023

P.C. :

1 After the petition was heard for some time, Ms. Solunke raised a preliminary objection stating that an alternative remedy by way of an appeal under Section 247 of the Maharashtra Land Revenue Code is available against the order dated 15th March 2022 passed by respondent no.5.

2 Mr. Patil, on instructions sought leave of the Court to withdraw the petition with liberty to file an appeal before the appropriate Authority.

3 Petition dismissed as withdrawn with liberty as prayed for.

4 All rights and contentions are kept open. The time spent from the date of lodging the petition till date and a further period of 15 days to be excluded while calculating the time to file an appeal.

5 We clarify that we have not made any observation on the merits of the matter.

6 The Appellate Authority shall give a personal hearing to petitioner before passing any order, notice whereof shall be communicated atleast five working days in advance. The order to be passed shall be a reasoned order dealing with every submission of petitioner.

7 The status quo as on 26th April 2022 to continue for a period of 15 days from today.

(NEELA GOKHALE, J.)

(K. R. SHRIRAM, J.)