

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

WRIT PETITION NO. 4561 OF 2021

Shamrao Govind Khavare and Ors.

... Petitioners

Versus

State of Maharashtra and Ors.

... Respondents

Mr. Tanaji Mhatugade for the Petitioner.

Mr. A.I. Patel, Addl. G.P. a/w Ms. K.N. Solunke AGP for the
Respondent-State.

**CORAM: R. D. DHANUKA AND
M.M.SATHAYE JJ.**

DATE : 11th JANUARY, 2023

PC. :-

1. The Petitioner has impugned the order passed by Sub Divisional Officer dated 24th December 2019 refusing to enter the name of the Petitioner separately in the Census Register.

2. Learned AGP for the State vehemently opposed this Petition on the ground that, against the order passed by Sub Divisional Officer, an appeal is maintainable before Divisional Commissioner (Rehabilitation), Pune Division, Pune under Section 247 of the Maharashtra Land Revenue Act, 1966. Objection is justified.

3. We accordingly dismiss this Writ Petition on the ground of alternate remedy available to the Petitioner for filing an Appeal under Section 247 of the Maharashtra Land Revenue Code, against the impugned order.

4. It is made clear that, if any such Appeal is filed by the Petitioner, the same shall be considered and disposed of by the Appellate Authority on its own merits and in accordance with law.

[M.M.SATHAYE,J.]

[R. D. DHANUKA, J.]