

**Dusane**

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

**WRIT PETITION NO.13636 OF 2023**

Surekha Kacharu Gaikwad & Ors.      ...Petitioners

V/s.

Smita Balasaheb Madhwai & Ors.      ...Respondents  
& Ors.

Mr. S.P. Kadam i/by Divya Parab for Petitioners.

Mrs. V.S. Nimbalkar, AGP for Respondent Nos. 5 to  
7-State.

**CORAM: MADHAV J. JAMDAR, J.**  
**DATE: 1st November 2023**

**P.C.:**

**1.** Heard Mr. Kadam, learned Counsel appearing for the Petitioners and learned AGP appearing for Respondent Nos. 5 to 7.

**2.** The challenge in the present Writ Petition is to the order dated 17<sup>th</sup> October 2023 passed by Sub Divisional Officer, Yeola Sub Division, Yeola in application filed by the present Petitioner seeking their impleadment in RTS Appeal No. 157 of 2023 pending before Sub Divisional Officer, Yeola Sub Division, Deola.

**3.** Learned AGP appearing for Respondent Nos. 5 to 7 at the outset states that there is an alternate remedy of revision under Section 257 of the Maharashtra Land Revenue Code.

**4.** In view of said objection, Mr. Kadam, learned Counsel appearing for the Petitioners seeks withdrawal of the petition with liberty to avail an alternate remedy. He states that the said Appeal No. 157 of 2023 is scheduled to come up for hearing on 2<sup>nd</sup> November 2023 and therefore hearing of the same be directed to be postponed for a reasonable period.

**5.** Accordingly, the Writ Petition is disposed of as withdrawn for availing alternate remedy. For giving opportunity to the Petitioner to avail an alternate remedy, the Sub Divisional Officer, Yeola Sub Division, Yeola is directed to grant suitable adjournment in Appeal No. 157 of 2023 beyond 11<sup>th</sup> December 2023.

**6.** It is clarified that this Court has not considered the merits of the matter and all the contentions on merits are expressly kept open.

**7.** The Writ Petition is disposed of in above terms with no order as to costs.

BHALCHANDRA  
GOPAL DUSANE

**(MADHAV J. JAMDAR, J.)**

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