

VRJ

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

**INTERIM APPLICATION NO.1323 OF 2024
IN
WRIT PETITION NO.789 OF 2018**

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RAMESH
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Surendra Karsandas Dalal & Ors.	... Applicants
<i>In the matter between</i>	
Tushar Bhagwan Khaire	... Petitioner
V/s.	
Kanakia Associates & Ors.	... Respondents

Mr. E. A. Sasi, for the applicants in I.A. and for respondent Nos.2 and 3 in W.P

Mr. Rupesh R. Lanjekar for the petitioner in W.P

Mr. Raju D. Suryawanshi for respondent No.1.

Mr. P. G. Sawant, AGP for the State/respondent Nos.4 to 11.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 28, 2024

P.C.:

1. The writ petition arises out of exercise of power by authorities under the provisions of the Maharashtra Land Revenue Code, 1966. The initial proceeding is under section 149 of the Maharashtra Land Revenue Code, 1966. It is well settled that orders passed by the Revenue Authorities are only for fiscal purpose, it do not affect substantive rights of the parties over

immovable property. Therefore, this Court while granting permission to the petitioner at the risk of the petitioner permitted him to delete respondent Nos.2 and 3.

2. It is made clear that order passed in the writ petition shall not bind respondent Nos.2 and 3. With this clarification, the interim application stands disposed of. No costs.

(AMIT BORKAR, J.)