

VRJ

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

WRIT PETITION NO.2704 OF 2024

VAIBHAV
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Narsingrao Yashwantrao Rajemane
Since Deceased Through His Legal Heirs ... Petitioner

V/s.

Dilip Baburao Mane
Since Deceased Through His Legal Heirs ... Respondents

Mr. Girish Agrawal with Ms. Priya Dalvi i/by Mr.
Pradeep D. Dalvi for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 26, 2024

P.C.:

1. In a suo moto exercise of power under section 257 of the Maharashtra Land Revenue Code, 1966, the Sub-Divisional Officer set aside regrant order dated 30th June 1958. The said proceedings were initiated in 2005. The petitioner challenged order dated 7th June 2008 before the Additional Collector. The Additional Collector, by order dated 24th September 2012, set aside order dated 7th June 2008 mainly on the ground that such power could not have been exercised after reasonable time of three years.

2. The respondent No.13 challenged the order of Additional Collector before the Commissioner who dismissed the revision. Against the dismissal of such revision, original opponent Nos.62,

63 and 71 challenged the Commissioner's order before the Minister. Pending such revision, 104 persons claiming to be in possession filed an application for joining them as party to the revision application. By the impugned order, said application is allowed.

3. Since only respondent No.13 had filed revision before the Commissioner, prima facie such persons could not have been added as party in revision application.

4. Hence, issue notice to the respondents, returnable on **18th June 2024**.

5. In the meantime, there shall be ad-interim relief in terms of prayer clause (c).

6. Till further orders, the impugned order dated 13th February 2024 passed by respondent No.257 shall remain stayed.

(AMIT BORKAR, J.)