



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3293 OF 2024

Ramesh Babulal Somani
Age: 57 years, Occu.: Business & Agriculture,
R/o: Near Shani Mandir,
Mantri Constructions, Beed, Taluka and District Beed

.....PETITIONER
(Ori. Respondent no.1)

VERSUS

1. The State of Maharashtra
Through its Secretary,
Ministry of Revenue and Forest,
Mantralaya, Mumbai-32
2. The Deputy Director of Land Records,
Chhatrapati Sambhajinagar Division,
Chatrapati Sambhajinagar
3. The District Superintendent of Land Records,
Land Record Office, Beed
4. Santosh Kisanrao Jadhav
Age: 48 years, Occu.: Business,
Alleged Secretary of Shani Mandir,
R/o Shani Mandir Galli, (Shikhwada) Peth,
Beed, Taluka and District Beed
5. Laxminarayan Hiralal Mantri
Since deceased through L.Rs.
- 5-1. Kishor Laxminarayan Mantri
Age: 52 years, Occu.: Business,
R/o: Rajiv Gandhi Chowk, Latur,
Taluka and District Latur

5-2. Vishnuddas Laxminarayan Mantri
Age: 50 years, Occu.: Business,
R/o.: Rajiv Gandhi Chowk, Latur,
Taluka and District Latur.

.....**RESPONDENTS**

(Resp. No.4-Ori. Applicant,
Resp. Nos.1 to 3 and 5-Orig. Resp. Nos.2 to 3)

Mr. A. P. Bhandari, Advocate for the Petitioner
Mr. V. S. Badakh, AGP for Respondents-State
Mr. V. P. Savant, Advocate for Respondent no.4

CORAM : ROHIT W. JOSHI, J.

DATED : 14TH JULY, 2025

ORAL JUDGMENT :-

. The petitioner had filed an appeal challenging order dated 24.11.2023, passed by District Superintendent of Land Records, Beed in case no./ASTHA-2/SR44/2022-23, thereby condoning delay of 15 years in filing appeal and admitting the appeal for adjudication on merits.

2. The appeal was filed before the Deputy Director of Land Records. The said authority has vide impugned order dated 24.01.2024, refused to entertain the appeal on the ground that an order of condonation of delay and subsequent admission of appeal is not appealable in view of Section 51 of the Maharashtra Land Revenue Code, 1966 and as regards

remedy of filing revision under 257 of the Code, it is held that the revision can be entertained only by the State Government in view of Section 259 of the Code.

3. Although, an order admitting appeal may not be appealable, a revision under Section 257 of the Code will certainly lie against an order of condonation of delay.

4. Section 257 of the MLR Code confers revisional jurisdiction on the State Government as also Revenue and Survey Officers above the rank of Assistant or Deputy Collector and Superintendent of Land Records respectively.

5. In the instant matter, the Revisional Authority is the Deputy Director of land records, who is a Survey Officer, higher in rank than the Superintendent of Land Records. The said authority is entitled to exercise revisional jurisdiction under Section 257(1) of the Code. As regards Section 259 of the Code, it provides that in cases where it is provided under the Code that any decision or order shall be final or conclusive, then appeal shall not lie from such order or decision and the same will be subject to revision by the State Government alone. The said provision curtails revisional

jurisdiction of authorities other than the State only qua orders to which finality is attached under the MLR Code.

6. In the case at hand, the order of condonation of delay, which is passed by the District Superintendent of Land Records is not declared by the Code to be final or conclusive.

7. In that view of the matter, the Deputy Director of Land Records will have the jurisdiction to entertain the revision. The order dated 24.01.2024, passed by the Deputy Director of Land Records is therefore quashed. The Deputy Director of Land Records is directed to decide the appeal preferred by the petitioner challenging the order dated 24.11.2023, passed by the District Superintendent of Land Records, Beed in case no./ASTHA-2/SR44/2022-23 as a revision under Section 257 of the MLR Code.

8. Parties to appear before the respondent no.2/Deputy Director of Land Records on 04.08.2025. Separate notice for appearance will not be issued.

9. The interim order dated 03.04.2024, passed by this Court shall continue to operate till 18.08.2025, subject to further orders passed by the Revisional Authority. The

respondent no.2 is directed to decide the revision as expeditiously as possible and in any case before 31.10.2025.

10. Writ Petition is **disposed** of accordingly.

11. Civil Application, if any, stands **disposed** of.

(ROHIT W. JOSHI, J.)

Rushikesh/2025