



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 WRIT PETITION NO. 1743 OF 2023

NAHEDKHAN JANIKHANM AND ANOTHER
VERSUS
THE ADDITIONAL COMMISSIONER AND OTHERS

...
Mr. Shailendra S. Gangakhedkar – Advocate for Petitioners
Mr. D.R. Korde – AGP for Respondent Nos.1 to 5, State
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 10.12.2025

PER COURT :

1. Heard learned Counsel for the petitioners and learned A.G.P for respondent Nos.1 to 5, State authorities.
2. By way of this petition, the petitioners challenge the order dated 23.05.2022 passed by respondent No.1, the Additional Commissioner, Aurangabad Division, Aurangabad, in Case No.2019/ROR/REV/CR/281, whereby the order dated 05.10.2019 passed by respondent No.2, Additional Collector, Hingoli, in Case No.2019/Appeal/CR/034 came to be confirmed, without appreciating that the challenge was raised to the extent of Clause No.4 of the said order directing respondent No.3 to undertake proceedings for resumption of the land forming part of Gat No.76 (Old Survey No.28/1) admeasuring 4H 57R situated at village Dhegaj, Tq. Aundha (Nagnath), Dist. Hingoli to the Government.
3. Learned A.G.P for respondents, State authorities, raises a

preliminary objection regarding the maintainability of the petition on the ground that, against the order under challenge, the petitioners have an alternate and efficacious remedy of filing second revision before the State Government. In support of submission, reliance is placed on the judgment of Hon'ble Apex Court in **Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and Ors.**, reported in *2015 AIR SCW 6277 SUPREME COURT* decided on 06.11.2015.

4. In view of the preliminary objection and judgment of **Gurudassing** (supra), the Writ Petition is disposed of as not maintainable. No order as to costs.

5. The petitioners are at liberty to file a revision before the State Government.

6. If the petitioners file such revision before the State Government within a period of six (6) weeks from today, the same shall be decided within a period of eight (8) weeks thereafter.

7. The delay caused in prosecuting the present petition shall be taken into consideration by the State Government while considering an application for condonation of delay.

8. All points are kept open.

[**SIDDHESHWAR S. THOMBRE**]
JUDGE