



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

966 WRIT PETITION NO. 14866 OF 2023

BHUJANGA DAGDU KOLI

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

...

Mr. Nileshsingh J. Patil – Advocate for Petitioner

Mr. R.B. Dhaware – AGP for Respondent Nos.1 to 3, State

Mr. P.B. Rakhunde – Advocate for Respondent Nos.4 to 9

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 03.12.2025

PER COURT :

1. Heard learned Counsel appearing for the respective parties.
2. The petitioner challenges the order dated 09.05.2023 passed by the District Superintendent of Land Records, Osmanabad in Appeal S.R. No.011/2022, whereby the delay came to be condoned.
3. Learned A.G.P. raises a preliminary objection regarding the maintainability of the present petition and submits that the petitioner has an alternate and efficacious remedy available under Section 35 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947.
4. In view thereof, the Writ Petition is disposed of as not

maintainable.

5. The delay caused in prosecuting the present petition shall be taken into consideration by the appellate authority while deciding the application for condonation of delay in the appeal.

6. Interim relief granted earlier shall continue till the appeal is decided by the appellate authority on its own merits.

7. If the petitioner files the appeal within the prescribed period, the appellate authority shall decide the same expeditiously, within a period of six (6) months from today.

8. All the issues are kept open.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/