

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

WRIT PETITION NO.5422 OF 2024

Anis Ismail Kazi

....Petitioner

V/S

Vilas Baburao Holkar & Ors.

....Respondents

Mr. P.B. Gujar *for the Petitioner.*

Mr. Ashutosh Kulkarni and Mr. Sainath S. Garadi i/b
Mr. Aadesh Konde Deshmukh *for Respondent No.1.*

Mr. S.D. Rayrikar, AGP *for Respondent No.2 / State.*

CORAM: SANDEEP V. MARNE, J.

DATE : 13 JANUARY 2025.

P.C.:

1. After hearing the learned counsel appearing for parties, when this Court was inclined to set aside the order dated 15 September 2023 passed by the Maharashtra Revenue Tribunal, Mr. Kulkarni, the learned counsel appearing for Respondent No.1, on instructions, submits that the order dated 15 September 2023 be set aside by consent of Respondent No.1 and instead Respondent No.1 be granted liberty to challenge original order dated 20 December 2014 passed by the Maharashtra Revenue Tribunal in appropriate proceedings.

2. Accordingly order dated 15 September 2023 passed by Maharashtra Revenue Tribunal is set aside and review

application preferred by Respondent No.1 before the Tribunal is dismissed. Respondent No.1 shall be at liberty to challenge order dated 20 December 2014 earlier passed by the Tribunal by filing appropriate proceedings. However grant of such liberty would not be construed to mean as if this has condoned the delay in filing of such proceedings for raising a challenge to the order dated 20 December 2014.

3. With the above directions, the Writ Petition is allowed and **disposed of.**

4. All contentions of the parties on merits are expressly kept open.

(SANDEEP V. MARNE, J.)

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KATKAM

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