

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

WRIT PETITION NO.1049 OF 2025

Umesh Krushna Salgaonkar	.. Petitioner
Vs.	
The Additional Commissioner, Konkan Division, Mumbai and Ors.	.. Respondents

Mr. Abhishek Matkar with Mr. Uddhav Katkar, Advocates for the Petitioner.
Mr. S.B. Kalel, Assistant Government Pleader for Respondent Nos.1 to 4 and 13.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**
DATE : 31ST JANUARY 2025.

PC. :

1. The petitioner has filed a Revision Application under Section 257 of the Maharashtra Land Revenue Code, 1966 before the State Government raising a challenge to the order dated 7th February 2017 passed by the Additional Commissioner, Konkan Division in Revision Application No.606 of 2013. By that order, the Revision Application preferred by the petitioner's brother - Jayant was dismissed and the order passed by the Additional Collector, Ratnagiri directing cancelling of mutation entry No.269 was upheld. It is submitted by the learned counsel for the petitioner that the petitioner's brother - Jayant expired on 26th July 2023. On 27th December 2024, the Revenue Authorities issued a notice in the name of the deceased brother of the petitioner so as to execute the initial

order passed by the Additional Collector, Ratnagiri on the ground that the said notice has been issued to a dead person. The petitioner who claims right in the said property has filed this writ petition.

2. We find that the petitioner has already approached the State Government by filing Revision Application No.108 of 2025 along with an application for condonation of delay. Since the petitioner apprehends consequences indicated in the notice dated 27th December 2024 being a notice issued to a dead person, we deem it appropriate to direct the State Government to consider the prayer for interim relief made by the petitioner in the said Revision Application. Accordingly, the following directions are issued :-

- (a) The prayer for stay made by the petitioner shall be considered within a period of two weeks from receiving copy of this order.
- (b) The prayer for interim relief shall be considered on its own merits and in accordance with law.
- (c) Till the said prayer is considered, the notice dated 27th December 2024 having been issued in the name of a dead person shall remain in abeyance.
- (d) The petitioner shall serve copy of this order on all the private respondents through registered post with

acknowledgment due (RPAD) to enable those parties
to contest the Revision Application No.108 of 2025.

3. Keeping all issues on merits open, the writ petition is
disposed of with aforesaid directions.

4. Parties to act on authenticated copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]