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

WRIT PETITION NO. 10601 OF 2025

Krishna Vishnu Deshmukh, (Since Deceased
through LRs(

Indubai Krishna Deshmukh and Ors.

.. Petitioners

Versus

The Revenue Minister,

State of Maharashtra and Ors.

.. Respondents

.....

- Mr. Chetan G. Patil, Advocate appearing through VC for Petitioners.
- Mr. Bapusaheb Dahiphale, AGP for Respondents – State.

.....

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 23, 2025.

P.C.:

1. Heard Mr. Patil learned Advocate appearing through VC for Petitioners and Mr. Dahiphale, learned AGP for Respondents – State.

2. In the present Writ Petition, the impugned order is passed by the Collector pursuant to remand made by this Court. The Collector in remand proceeding has once again passed an identical order which was not impugned previously. Petitioners being aggrieved have directly approached this Court when the impugned order is an appealable order before the first Appellate Authority namely Additional Commissioner under the provisions of Section 247 of the Maharashtra Land Revenue Code read with Schedule 'E' thereof.

3. Mr. Patil has persuaded me to consider the Collector's order having been passed on similar lines as the previous order on merits. This Court cannot function as the first Appellate Court to determine such challenge.

4. Needless to state that if Petitioners file the statutory Appeal before the appropriate first Appellate Authority, the concerned Appellate Authority shall determine the same in accordance with law.

5. Mr. Patil, on taking instructions informs the Court that Petitioners shall approach the first Appellate Authority against the impugned order. He persuades the Court to consider time spent in filing the present Petition in so far as arresting limitation period is concerned. That undoubtedly shall be open to Petitioners to plead when they file statutory Appeal before the first Appellate Authority. If the statutory Appeal is filed against the Collector's impugned order, the said first Appellate Authority is directed by this Court to hear and decide the said Appeal as expeditiously as possible and in any event within a period of eight (8) weeks from the date of filing of the said Appeal.

6. All contentions of Petitioners are expressly kept open before the first Appellate Authority.

7. Needless to state that said Appeal shall be decided strictly in accordance with law without being influenced by any of the

observations made either in the impugned order or this very order by the concerned first Appellate Authority.

8. Learned first Appellate Authority is directed to pass a reasoned speaking order after hearing all parties.

9. With the above directions, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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