



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 2519 OF 2019
WITH
CIVIL APPLICATION NO. 2478 OF 2025 IN WP/2519/2019

SANJIVANI CO-OPERATIVE HOUSING SOCIETY LTD THROUGH ITS
VICE-CHAIRMAN

VERSUS
THE TAHASILDAR AND OTHERS

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Mr. Sandeep B. Gorde Patil – Advocate for Petitioners

Mr. B.A. Shinde – AGP for Respondent Nos.1 to 4, State

Mr. S.V. Dixit – Advocate for Respondent No.5

Mr. Prashant R. Nangare – Advocate for Applicants in C.A.No. 2478/2025

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 20.01.2026

PER COURT :

1. Heard learned Counsel for the respective parties.
2. By way of present petition, the petitioners challenge the order dated 23.05.2017 passed by learned Sub-Divisional Officer in R.T.S. No.297/2016, which came to be confirmed by the Additional Collector, Ahmednagar in R.T.S. Appeal No.295/2017 by order dated 16.03.2018 and further confirmed by learned Additional Commissioner, Nasik Division, in R.T.S. Revision No.294/2018 by order dated 21.09.2018.
3. Learned A.G.P. for respondent Nos.1 to 4, State authorities and learned Counsel for respondent No.5 raised a preliminary objection

regarding the maintainability of the present petition on the ground that the petitioners have an alternate and equally efficacious remedy of filing a second revision before the State Government. In support of their contention, reliance is placed upon the judgment of the Hon'ble Apex Court in case of Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and Ors., 2015 AIR SCW 6277 decided on 06.11.2015.

4. Learned Counsel for the petitioner placed reliance upon the order of Hon'ble Apex Court in Special Leave Petition (C) No.14350/2022 (M/s Utkal Highways Engineers and Contractors Vs. Chief General Manager and Ors.) decided on 08.01.2025 and submitted that there was no justification for the High Court to relegate the appellant to avail other remedies.

5. Having heard the learned Counsel appearing for both sides and having considered the law laid down by the Hon'ble Apex Court, this Court finds that the issue raised pertains to the availability of an alternate and equally efficacious remedy and that no extraordinary circumstances are demonstrated so as to warrant exercise of writ jurisdiction under Article 227 of the Constitution of India.

6. In view of the availability of an alternate and efficacious remedy, this Court is not inclined to entertain the present petition.

7. The petitioners are at liberty to file a second revision before the

State Government within a period of six (6) weeks from today.

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

9. If the petitioners file the revision within aforesaid period, the State Government is directed to decide the same within a period of six (6) months thereafter.

10. In view of the above, the Writ Petition stands disposed of.

11. All the issues are kept open.

12. The interim relief granted earlier shall continue till the decision of the second revision by the State Government.

13. In view of disposal of the Writ Petition, pending Civil Application No.2478 of 2025 also stands disposed of.

[SIDDHESHWAR S. THOMBRE]
JUDGE