

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (L) NO.41090 OF 2025
WITH
INTERIM APPLICATION (L) NO.41222 OF 2025
IN
WRIT PETITION (L) NO.41090 OF 2025**

Sanjay Harbhagwan Kandhari & Anr.Petitioners/Applicants
Vs.
State of Maharashtra & Ors.Respondents

Mr. Ashish Kamath, Senior Advocate with Harsh Moorjani i/b Sandeep Mohan Hirvadekar for the Petitioners.
Smt. Jaymala Ostwal, Addl. G. P. for Respondent Nos.1 to 4-State.
Mr. Sunip Sen, Advocate with Subhro Dey with Angshuman Chaliha with Noopur Thakkar i/b Universal Legal for Respondent No.5.
Mr. Rahul Sangade, State Officer

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.
DATE : 13th FEBRUARY, 2026.**

P.C.:-

- 1) In furtherance of the directions issued vide Order dated 9th February, 2026 the learned Addl. G. P. has produced before us the concerned file for our perusal. The inspection of the said file is given to the Advocate on record for the Petitioners.
- 2) Mr. Kamath, Senior Advocate appearing for the Petitioners, on instructions, seeks leave to withdraw Petition with liberty to avail the alternate statutory remedy under Section 274 of the Maharashtra Land

Revenue Code to file an Appeal against the mutation entries i.e. the cause of action for filing present Petition.

- 2.1) Leave and liberty granted.
- 3) Disposed off as withdrawn with aforesaid liberty.
- 4) In view of withdrawal of the Petition, Interim Application (L) No.41222 of 2025, does not survive and is accordingly disposed off.
- 5) It is needless to mention that, the Petitioners are entitled to claim benefit under Section 14 of the Limitation Act while preferring the statutory Appeal under Section 274 of the Maharashtra Land Revenue Code.
- 6) All contentions of both parties are expressly kept open to be agitated before the Appellate Authority.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)