

Shabnoor

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

WRIT PETITION NO.4776 OF 2018

**WITH
INTERIM APPLICATION NO.4353 OF 2023
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IN
WRIT PETITION NO.4776 OF 2018**

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Kamalakar Haribhau Naik & Ors ... Petitioners
V/s.
Jamna Gopal Naik & Ors ... Respondents

Mr. Sanjay A. Ghaisas, for Petitioners.

Mrs. V. R. Raje, AGP for State/Respondents.

CORAM : AMIT BORKAR, J.

DATED : APRIL 30, 2024

PC.:

1. Leave to amend to add the State Government as party/respondent to the petition. Learned AGP waives service of notice on behalf of State/respondent.

2. The order impugned in the present writ petition has been passed by the Additional Commissioner in exercise of power under Section 257 of the Maharashtra Land Revenue Code, 1966 (“MLRC”) against which the petitioner has alternative remedy by way of second revision under Section 257 of the MLRC. Therefore,

keeping all questions raised in the petition open to be agitated before the State Government, the writ petition is disposed of.

3. Period spent in prosecuting the present petition shall be excluded while considering the second revision.

4. In view of disposal of the writ petition, the interim applications do not survive. Hence, the interim applications stand disposed of.

(AMIT BORKAR, J.)