



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13761 OF 2024

Chintaman Bhimaji Thombare and Another. ...Petitioners.

Versus

Parvatabai Manohar Sonkambale and Others. ...Respondents.

*Mr. Nitin Gaware-Patil, Mr. Narayan Rokade and Mr. Hrishikesh Korhale for the
Petitioner.*

Ms. Savita Prabhune, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : November 18, 2024.

P. C. :

1. Heard.
2. Challenge in the present petition is to the orders passed by the SDO, the Additional Collector and the Minister by which Petitioner's appeal before the Additional Collector was rejected on the ground that there is no provision of appeal against an order of rejection, which finding has been upheld by the Minister.
3. Learned counsel appearing for the Petitioner would submit that before the SDO, RTS Appeal was filed which came to be dismissed by order dated 31st October, 2017 and therefore, the Petitioner was entitled to challenge the same by way of Second Appeal before the Additional Collector. He submits that the Additional Collector has

rendered a factually erroneous finding that the proceeding before the SDO were revision proceedings and has thereafter rejected the appeal on the ground that no appeal is maintainable against the revision proceedings. He points out to the order of SDO in RTS Appeal No.393/2014 in order to substantiate his contention that before the SDO, it was appeal proceedings and not the revision proceedings.

4. Issue notices to the Respondents returnable on **9th December 2024**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date.
5. Learned AGP waives service of notice for Respondent Nos.2 to 5.

[Sharmila U. Deshmukh, J.]