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48-WP-3010-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

48 WRIT PETITION NO. 3010 OF 2025

Maroti Hari Sirsat Died Through Lrs Balaji Maroti Sirsat And Others
VERSUS
The State Of Maharashtra Through The Upper Divisional Commissioner
And Others

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Mr.Revan P. Bhumkar, Advocate for the Petitioners.
Mr. K. N. Lokhande, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 3rd MARCH 2025

PC :-

1. Heard the learned Advocate for the petitioners.
2. In the proceeding initiated by respondent No.4 before the Revenue Authority consistently till the level of learned Divisional Commissioner. However, in Review Application filed by the Respondent No.4. Now, the learned Additional Divisional Commissioner allowed the Review Application and set aside the order passed by Additional Collector, Ambajogai.

3. The learned Advocate for the petitioners submits that as per Section 258 of the Land Revenue Code, the power of review is very limited. The learned Commissioner can review the order under Section 258 (2) of the said Act on very limited grounds. He submits that in the present matter, there is no discovery of new and important matters and evidence. No case was made out showing error apparent on the face of record. There also does not appear any other sufficient reason and still learned Additional Commissioner has passed the order.

4. This Court has gone through the impugned order, prima facie, to see as to whether any case was made out calling for exercise of power of review. Prima facie this Court finds that case is made out to issue notice to the Respondents.

5. Issue notice to the Respondents, returnable on 28th April 2025.

6. Learned AGP waives service of notice for Respondent Nos. 1 to 3.

7. The parties are put to notice that, if time permits, the Court may take up the petition for final disposal at the stage of admission.

8. Till the next date, there shall be ad-interim relief in terms of prayer

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clause (C).

[KISHORE C. SANT, J.]