

243. A revenue or survey officer may give and apportion costs incurred in any case or proceeding arising under this Code or any other law for the time being in force in such manner and to such extent as he thinks fit :

Power to give and apportion costs.

Provided that, the fees of a legal practitioner shall not be allowed as costs in any such case or proceedings, unless such officer considers otherwise for reasons to be recorded by him in writing.

244. Save as otherwise provided in any other enactment for the time being in force, all appearances before, applications to and acts to be done before, any revenue or survey officer under this Code or any other law for the time being in force may be made or done by the parties themselves or by their recognised agents or by any legal practitioner :

Persons by whom appearances and applications may be made before and to revenue or survey officer.

Provided that, subject to the provisions of sections 132 and 133 of the Code of Civil Procedure, 1908, any such appearance shall, if the revenue or survey officer so directs, be made by the party in person.

¹**[245.** Nothing contained in this Chapter shall apply to any proceeding before the Maharashtra Revenue Tribunal under Chapter XV.]

Saving.

CHAPTER XIII

APPEALS, REVISION AND REVIEW.

²**246.** The provisions of this Chapter shall not apply to proceedings before the Maharashtra Revenue Tribunal under Chapter XV.]

Application of this Chapter.

247. (1) In the absence of any express provisions of the Code, or of any law for the time being in force to the contrary, an appeal shall lie from any decision or order passed by a revenue or survey officer specified in column 1 of the Schedule E under this Code or any other law for the time being in force to the officer specified in column 2 of that Schedule whether or not such decision or order may itself have been passed on appeal from the decision or order of the officer specified in column 1 of the said Schedule :

Appeal and appellate authorities.

Provided that, in no case the number of appeals shall exceed two.

(2) When on account of promotion or change of designation an appeal against any decision or order lies under this section to the same officer who has passed the decision or order appealed against, the appeal shall lie to such other officer competent to decide the appeal to whom it may be transferred under the provisions of this Code.

248. An appeal shall lie to the State Government from any decision or order passed by a Commissioner or by a Settlement Commissioner or by a Director of Land Record, or by a Deputy Director of Land Records invested with power of Director of Land Record ³* * * except in the case of any decision or order passed by such officer on appeal from a decision or order itself recorded in appeal by any officer subordinate to him.

Appeal when to lie to State Government.

¹ Section 245 was inserted by Mah. 23 of 2007, s. 4.

² Section 246 was inserted, *ibid*, s. 5.

³ The words "or by the Collector of Bombay or by an Assistant or Deputy Collector subordinate to him invested with the appellate power of the Collector " were deleted by Mah. 47 of 1981, s. 8.