

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3407 OF 2014

Sahyadri Bahujan Vidya Prasarak
Samaj, Sangamner,
Through its Secretary
Prataprao s/o Jayawantrao More,
Age 76 years, Occu. Agril. & Secretary,
R/o. Wadgaonpan, Tq. Sangamner,
Dist. Ahmednagar. ... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai 400 032.
2. The Divisional Commissioner of Revenue,
Nashik Division, Nashik.
3. The Collector,
Ahmednagar.
4. The Gram Panchayat,
Jawalekalag, Tq. Sangmner,
Dist. Ahmednagar. ... Respondents

...

WITH

WRIT PETITION NO. 3402 OF 2014

Sahyadri Bahujan Vidya Prasarak
Samaj, Sangamner,
Through its Secretary
Prataprao s/o Jayawantrao More,
Age 76 years, Occu. Agril. & Secretary,
R/o. Wadgaonpan, Tq. Sangamner,
Dist. Ahmednagar. ... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai 400 032.
2. The Divisional Commissioner of Revenue,
Nashik Division, Nashik.

3. The Collector,
Ahmednagar.
4. The Gram Panchayat,
Mandve (Bk.), Tq. Sangmner,
Dist. Ahmednagar. ... Respondents

...

WITH

WRIT PETITION NO. 3406 OF 2014

Sahyadri Bahujan Vidya Prasarak
Samaj, Sangamner,
Through its Secretary
Prataprao s/o Jayawantrao More,
Age 76 years, Occu. Agril. & Secretary,
R/o. Wadgaonpan, Tq. Sangamner,
Dist. Ahmednagar. ... Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai 400 032.
2. The Divisional Commissioner of Revenue,
Nashik Division, Nashik.
3. The Collector,
Ahmednagar.
4. The Gram Panchayat,
Ajampur (Talegaon Dighe),
Tq. Sangmner,
Dist. Ahmednagar. ... Respondents

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Advocate for Petitioner : Mr. S.B. Talekar And U.R. Awate
AGP for Respondents 1-3 : Mrs. S.A.Dhumal
Advocate for Respondent 4 : Mr. S.T.Shelke

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**CORAM : A. V. NIRGUDE AND
V. K. JADHAV, JJ.**

DATED : 21st AUGUST, 2015

ORAL JUDGMENT :- (Per A.V.Nirgude, J.)

1. Heard.

2. Rule. Rule made returnable forthwith. With the consent of the parties, taken up for final hearing.

3. All these writ petitions can be disposed of by following order.

4. The impugned orders refusing allotment of lands to the petitioner Society appears to be passed solely on the basis the Government Resolution dated 12.7.2011. While passing this impugned order, apparently the Authorities did not take into account the provisions of Sections 20 and 31 of Land Revenue Code, 1966 read with Maharashtra Land Revenue (Disposal of Government Lands) Rules, 1975. All these provisions are still in force and apparently would enable the State of Maharashtra to consider the applications in perspective of the provisions. We, therefore, think it necessary to set aside the impugned orders and remand the cases back to the State of Maharashtra for deciding the applications on merits and keeping in mind the provisions referred to above and Rule 6 and 7 of the Rules.

5. Rule is accordingly made absolute in above terms. Writ Petitions accordingly disposed of. No costs.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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