

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

WRIT PETITION NO.10722 OF 2014

Smt.Banubi Abdul Desai .. Petitioner.
Vs.
The State of Maharashtra & Ors. .. Respondents.

Mr.Vivek Vijay Salunke for the Petitioner.
Mr.S.N. Patil AGP for the State.

CORAM : A.S. OKA & A.K. MENON, JJ.

DATED : 12TH JANUARY, 2015

P.C.

1. Heard learned counsel appearing for the Petitioner and learned A.G.P for the State.

2. Learned A.G.P on instructions states that the order dated 9th September, 2014 has attained finality in the sense that the said order has not been challenged by the State Government or by any officer of the State.

3. Therefore, the order of the State will have to be implemented. As far as the clause 3 of the said order is concerned, the petitioner will have to file an appropriate application under the provisions of the Bombay Tenancy and Agricultural Lands Act, 1948.

4. Accordingly, we dispose of the petition by passing the following order :

(i) We direct the Petitioner to appear before the Tahsildar, Taluka Hatkanangale, District Kolhapur on 28th January, 2015 at 11 am. The Petitioner shall produce a true copy of the order dated 9th

September, 2014 alongwith an authenticated copy of this order before the Tahsildar, Taluka Hatkanangale, District Kolhapur;

(ii) The Tahsildar shall take all necessary steps for implementation of the directions in clause 2 of the order dated 9th September, 2014 as expeditiously as possible. The Tahsildar shall ensure that the directions contained in clause 2 are complied with within a period of three months from the date fixed for appearance of the Petitioner before him;

(iii) As far as clause 3 is concerned, it will be open for the Petitioner to file the appropriate proceedings under the Bombay Tenancy and Agricultural Lands Act, 1948. If the appropriate proceedings are filed by the Petitioner, the Tahsildar shall endeavor to dispose of the same as expeditiously as possible and preferably within one year from the date of filing of the proceedings;

(iv) The petition is disposed of in the aforesaid terms;

(v) All concerned to act on an authenticated copy of this order;

(vi) The Registry shall take steps to reconstruct the file of Writ Petition No.10724 of 2014. Reconstructed petition shall be placed on 20th February, 2015, high on board.

(A.K. MENON, J.)

(A.S. OKA, J.)