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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6823 OF 2013

Babu Hari Sawant and anr. ... Petitioners

Versus

The Tahsildar, Patan and Ors. ... Respondents

Mr. Swapnil Mhatre I/by Mr. Shriram S. Kulkarni for the petitioners.

Mrs. M.P.Thakur, AGP for the respondent nos. 1 to 5.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.
DATED : 28th OCTOBER, 2015**

P.C. :-

1. Heard the learned counsel for the petitioners.
2. On the last date, time was granted to the petitioners to take instructions. Even today, he seeks time to take instructions.
3. The grievance of the petitioners in this petition filed under Article 226 of the Constitution of India is about the failure of the respondents to allot a land to the petitioners for rehabilitation. The petitioners had sought allotment of a land in a particular locality.
4. Shri. Sanjay Dattatraya Asawale, Deputy Collector,

Rehabilitation, Satara has filed an affidavit. In paragraph 4 and 5 of the affidavit, he has stated thus :

“4. I further say and submit that, the total 100 plots of Kardoli Garvare residential colony was already allotted and possession of plots already given and there is no any plot remain.

5. I further say and submit that, our office has already informed the Petitioner by letters dt. 16/2/2010 & 19/3/2010 that our office is ready to allot alternate land to the Petitioner as per Government Resolution no. 23590/638/pra.kra 158/r-Mantralaya, Mumbai, dt. 13Th September, 1990 in the benefited Zones of Ujani Project at Solapur.”

5. In view of the aforesaid statements made in the affidavit, nothing survives in the petition. In view of the aforesaid statements, the petitioners can always apply for an allotment of alternate land in the benefited zones of Ujani Project at Solapur. If such application is made, the same shall be decided within the period of three months from the date on which it is presented. By accepting the statements made in the affidavit and subject to above directions, the petition is disposed of.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)