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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.9 OF 2001

Deendayal Sanskar Kendra & Anr. ...Petitioners
vs.
The State of Maharashtra
and Ors. ...Respondents

WITH
PUBLIC INTEREST LITIGATION NO.12 OF 2001

Dattatraya P. Patil & Anr. ...Petitioners
vs.
The State of Maharashtra
and others ...Respondents

None for the petitioner in both the petitions
Mr.S.N.Patil, AGP for the respondent Nos.1 to 4 in
PIL 9/2001 and for respondent Nos.1 to 5 in PIL
12/2001

CORAM : A.S.OKA, &
 A.K.MENON, JJ.
DATE : JANUARY 23, 2015

P.C.:

1 On the earlier date, none appeared for the petitioner in both the petitions. In fact, in PIL 12 of 2001, the Court service notice was issued which has been duly served to the second petitioner. The report of the Bailiff records that the first petitioner is dead.

2 After having perused the averments made in the petitions and after perusing the affidavits on

record including the affidavit of Shri Ganesh F.Rathod, the Under Secretary to the Government, Revenue and Forest Department, Mantralaya, Mumbai dated 8th August 2011 and in particular statements made in paragraph 3 thereof, there is no reason to entertain these PILs. Accordingly, PILs are rejected. Rule is discharged.

3 We, however, make it clear that the issue of validity of the provisions of section 40 of the Maharashtra Land Revenue Code, 1966 and Rule (5) of the Maharashtra land Revenue (Disposal of Government Land) Rules 1971 is kept open.

(A.K.MENON,J.)

(A.S.OKA,J.)