

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

WRIT PETITION NO.10405 OF 2013

Shri Dnyandeo Natha Bhilari and ors. .. Petitioners

V/s

The State of Maharashtra

Through its Principal Secretary and ors. .. Respondents

Mr. Prashant Bhavake, for the petitioners.

Mr. V.S. Gokhale, AGP for respondent Nos. 1 to 3.

Mr. Amit B. Borkar, for respondent No.5.

**CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ.**

DATE : AUGUST 6, 2015.

P.C.:

1. The main grievance in this petition is about the failure of the Authorities under the Maharashtra Land Revenue Code, 1966 to prepare the revenue record in respect of the land, more particularly described in paragraph-2 of the petition.

2. The learned AGP has placed on record a letter dated 3 July

2015 addressed by Mr. Ramchandra Choube, Tahsildar, Panhala. Alongwith the said letter, parawise comments in this Petition have been submitted by the Tahsildar. It is stated that Deputy Superintendent, Land Records, Panhala has submitted a report to the Tahsildar stating that the said property is situated within the Akarband of the village Katebhogaon. It is stated by Tahsildar that no Gut Number, Plot Number or Block Number have been assigned to the land as per the report of the Deputy Superintendent of Land Records. The learned AGP on telephonic instructions of Mr. Ramchandra Choube states that as the said property is situated within the Gaothan of the village Katebhogav, the survey will have to be carried out of the said property by the Deputy Superintendent of Land Records, Kolhapur and thereafter the record in relation to the said property can be created in terms of the Maharashtra Land Revenue Code, 1966. We accept the statements made by Mr. Ramchandra Choube, Tahsildar.

3. In view of the statements, we direct the Deputy Superintendent of Land Records, Kolhapur to take steps for carrying out the survey of the property, more particularly described in paragraph-2 of the petition and thereafter take steps for making the land record in relation to the said property in accordance with the provisions of the Maharashtra Land Revenue Code, 1966.

4. We direct the petitioners to appear before the Deputy Superintendent of Land Records, Kolhapur on 21 August 2015 at 11.00 a.m. We direct the petitioners to produce an authenticated copy of this order before the Deputy Superintendent of Land Records, Kolhapur, who shall act upon it. The entire exercise of survey of the property and of creating Land records shall be completed by the Deputy Superintendent of Land Records, Kolhapur, within a period of one year from 21 August, 2015. The issue regarding title claimed by the petitioners as well as issue raised by

the 5th and 6th respondents is expressly kept open. Petition is disposed of with the above directions.

(REVATI MOHITE DERE, J.)

(A.S. OKA, J.)