

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

WRIT PETITION NO.201 OF 2015

Balu Ramchandra Lokhande & Ors. .. Petitioners

V/s.

The District Collector Satara & Ors. .. Respondents

.....
Mr. A. J. Kenjale, Advocate for the Petitioners.
Mr. P. P. Kakade, AGP for Respondent - State.
Mr. M. S. Athalye, Advocate for Respondent No.2.
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**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : DECEMBER 11, 2015.

P.C.

The petitioners claim to be villagers of Vanaswadi. The grievance is that in the year 1981, the Gram Panchayat wrongly entered names of certain persons in the revenue record of subject land which according to the petitioner is the Government land. The petitioners thereafter filed Application to the District Collector, Satara under Section 53(2A) of the Maharashtra Village Panchayat Act and requested to take necessary action. Till date no action of whatsoever nature has

been taken on the said application of the petitioners. The counsel appearing for the Gram Panchayat submits that the issue involves investigation into the title and possession in respect of the subject property. The learned AGP submits that RCS No.330 of 2014 is pending before the Civil Judge Junior Division, Satara concerning the subject open plot (Dyandeo Kishor Ranjane Vs. Chandrakant Jaysingrao Lokande & Ors.) A copy of the order passed by the 3rd Joint Civil Judge Junior Division, Satara dated 17th July, 2014 is placed for our perusal wherein the learned Civil Judge had restrained the defendants from causing disturbance to the peaceful possession over the suit property of the plaintiff.

2 In view of the facts, we are not inclined to exercise our writ jurisdiction at this stage. We direct the Civil Court to expeditiously dispose of RCS No.330 of 2014 on its own merits. After decision of the same, the Collector and the Gram Panchayat to look into the issue. All issues on merits are kept open.

3 With the aforesaid observations and directions, the petition is disposed of.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)