

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2756 OF 2015

PARVATIDEVI MALLIKARJUN KHANAPURE
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. R.D. Biradar
AGP for Respondents: Miss. S.S. Raut.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 5TH JULY , 2016.

PER COURT:

1] Mr. Blradar, learned counsel submits that the order passed by the respondents rejecting the application of the petitioner earlier was on the ground that Gairan Land could not have been allotted. The petitioner had filed fresh application dated 10th November, 2014, which has not been considered.

2] Miss. Raut, learned AGP submits that in view of the Govt. Resolution dated 12.7.2011, request of the petitioner is rightly rejected. Again, for the same purpose, the application cannot be considered.

3] We have gone through the affidavit filed by the Tahsildar Latur. Para. 10 of the said affidavit reads as under :-

" I say and submit that in view of what is stated above it would be ample clear that at present in view of the Government Resolution dated dated 12/7/2011, the petitioners cannot be allotted any Gayran land and it is also ample clear that if any surplus land is available in future, the petitioners case would be considered for allotment of land as per law, and hence there is no merit in the petition and the same may be kindly be dismissed. Hence, this affidavit."

4] In view of the said affidavit filed by the respondents, the petitioner may make an application/representation which would be considered by the respondents, in tune with the affidavit filed by the respondents, more particularly, par 10, which is referred to above. The same be considered expeditiously. Writ petition is accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-