

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 5884 OF 2016

Sanjay s/o Machindra Naragude
& others

.. PETITIONERS

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. V.P Golewar, advocate for petitioners.
Mr. M.B. Bharaswadkar, AGP for the State.

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**CORAM : R.M. BORDE &
K. L. WADANE, JJ.
DATE : 8th JUNE, 2016.**

PER COURT :

1. Petitioners are objecting to the order passed by the Sub-Divisional Officer on 16.05.2016 whereunder it is proposed to utilise the alluvial land for development of forest. The policy decision taken by the Sub-Divisional Officer under the order of the Collector cannot be said to be erroneous or violative of the provisions of the Land Revenue Code. The decision appears to have been taken in accordance with the National Forest Policy, 1988. Petitioners claim their entitlement to the land since they are project affected persons. The alluvial land can be given on lease by taking recourse of the provisions of Land Revenue Code. Petitioners do not have any right in respect of such land. Petitioners were permitted to cultivate the land which, infact is acquired for irrigation project, and as and when there is no accumulation of water in the irrigation project. It cannot be termed as an alluvial land. Even otherwise, petitioners have failed to point out their legal

right in relation to the land in question. Writ petition is devoid of substance hence stands rejected.

(K. L. WADANE)
JUDGE

(R. M. BORDE)
JUDGE

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