

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

WRIT PETITION NO. 6254 OF 2015

Shashikant S/o Govind Nilkhe .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Amol S. Gandhi, Advocate for the Petitioner.
Smt. S. S. Raut, A. G. P. for Respondent Nos. 1 to 4.
Shri Parag Vijay Barde, Advocate for the Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 29TH FEBRUARY, 2016.

PER COURT :-

1. Mr. Gandhi, the learned counsel for the petitioner submits that, the respondent No. 1 on 17.04.2006 amended Section 28 of the Maharashtra Agricultural Lands (Ceiling and Holdings) Act, 1961 had decided to allot surplus lands to the persons who have leased such lands to the industrial undertakings. The learned counsel submits that, the grand father of the petitioner had given the writ land to Godawari Sugar Mill for cultivation on tenancy basis. According to the learned counsel, the petitioner applied for the allotment of the said land being legal heirs of the ex-lessor. The Committee verified the application. The proposal was forwarded to the Collector vide letter dated 10.07.2014. In turn Collector forwarded the same to the Government. However, till date the respondent had not taken any decision on the same.

2. We have heard the learned A. G. P. and Mr. Barde the learned counsel appearing for the respondent No. 5.

3. As the proposal in respect of the allotment of the land is pending with the Government, it would be appropriate for the Government to take decision on the said proposal. The same it seems is pending since July, 2014.

4. The respondent No. 1 shall take decision in respect of the proposal forwarded to it with regard to the allotment of the writ land to the petitioner expeditiously and preferably within six (6) months. The parties naturally would be bound by the orders passed by the Government in this regard.

5. The writ petition is accordingly disposed of. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]

sam/Feb.16