

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.2132 OF 2016

Rajiv s/o Baburao Patil,
Age-35 years, Occu:Agril.,
R/o-Sarola, Tq. & Dist-Aurangabad.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through Forest Department,
Maharashtra State,
Mantralaya, Mumbai,
- 2) The District Level Committee,
(Under Scheduled Tribe and
Traditional Dwellers Forest
Regulation of Forest) Act,2006),
Through its Chairman,
Aurangabad,
- 3) The Collector, Aurangabad,
Dist-Aurangabad,
- 4) The Sub Divisional Officer,
Aurangabad, Dist-Aurangabad,
- 5) The Tahsildar, Aurangabad,
Dist-Aurangabad.

...RESPONDENTS

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Ms. M.P. Patni-Gangwal Advocate for
Petitioner.

Mr.P.S. Patil, A.G.P. for Resp. Nos. 1 to 5.

...

**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 14TH MARCH, 2016

ORDER :

1. Heard. Notice to the Respondents. The learned A.G.P. waives notice for all the Respondents.

2. Learned counsel for the Petitioner submits that the grand father of the Petitioner was allotted the land under an agreement to lease. On death of grand father, father of the Petitioner had made an application. Thereafter the Petitioner has filed the appeal under Section 15(3) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The same is pending since the year 2010. According to the learned counsel, no decision is taken on it.

3. Learned A.G.P. states that the Collector will consider the said appeal on its own merits, in accordance with law.

4. Considering the fact that appeal/application is pending with the Collector (Exhibit C), we pass the following order:

5. In case the appeal/application filed by the Petitioner (Exhibit C) is pending with the Collector, then the Collector shall take decision on the same in accordance with law, on its own merits, expeditiously, preferably within ONE YEAR. The decision be communicated to the Respondents by the learned A.G.P.

6. Writ Petition is disposed of. No costs.

[A.I.S.CHEEMA, J.]

asb/MAR16

[S.V. GANGAPURWALA, J.]