

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2974 OF 2016

[Vetaji Daulat Palve and one .vs. The State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.J. Shinde, counsel for the petitioners,
Mrs. Kalyani Deshpande, AGP for the respondents.

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CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : JUNE 16, 2016.

By this writ petition, the petitioner seeks a direction to the respondent-Tahsildar to decide the representation of the petitioner, dated 25.3.2015. The petitioner seeks an order restraining the respondents from acquiring the land of the petitioner for extension of the Gaothan.

It is the case of the petitioner that though the petitioner is the owners of 0.14 HR of land in Gat No.2 of Mahalungi, the name of the State Government is recorded in the revenue record in respect of his land. It is stated that the petitioner has asked the explanation from the Tahsildar in this regard in view of the communication, dated 25.3.2015, but the Tahsildar has not explained. It is stated that the land of the petitioner is sought to be acquired and the respondents be restrained from acquiring the same.

The relief sought by the petitioner cannot be granted. If the name of the State Government is wrongly recorded in the 7/12 extract, it would be necessary for the petitioner to take up appropriate proceedings under the provisions of the Maharashtra Land Revenue Code. Till date there are no proceedings initiated

by the State Government for acquisition of the petitioner's land and hence the petitioner cannot seek a restraint order against the State Government. The petition in this regard is premature.

In view of the aforesaid, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

Gulande