

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

WRIT PETITION NO.1809/2016

Sanjay Madhukar Bhadange and another

...Versus...

State of Maharashtra, through its Secretary, Revenue Department, Mantralaya,
Mumbai – 32 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 G.K. Mundhada, Advocate for petitioners
Mrs. G.R. Tiwari, AGP for respondent nos.1 to 3

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : 03.05.2016

The learned Counsel for the petitioners states that the issue involved in this writ petition was also involved in Writ Petition No.4555/2015 and this Court has, by the judgment, dated 11.12.2015 allowed the said writ petition and has restrained the respondents from seeking the No Objection Certificate as the petitioner therein had purchased the property by a registered sale-deed before the provisions of Section 37 A were inserted in the Maharashtra Land Revenue Code. It is stated that in the instant case also, the property is purchased by the petitioner on 29.3.2012.

Mrs. Tiwari, the learned Assistant Government Pleader appearing on behalf of the respondents does not dispute the factual statement made on behalf of the petitioners. It is

admitted that the registered sale-deed was executed in favour of the petitioners in the year 2012, before the date on which the provisions of Section 37 A of the Maharashtra Land Revenue Code were amended. It is also not disputed that in a similar writ petition, this Court had quashed and set aside a similar order.

In view of the statements recorded herein above and for the reasons recorded in the judgment, dated 11.12.2015 in Writ Petition No.4555/2015, we allow this writ petition. The impugned order is quashed and set aside.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar