

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 6067/2016
 (RAMDAS BALIRAMJI MASNE **VERSUS** STATE OF MAHARASHTRA & ANOTHER)

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

Court's or Judge's orders

 Shri S.S. Alaspurkar, counsel for the petitioner.
 Shri A.M. Balpande, A.G.P. for the R-1 & 2.

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

DATE : NOVEMBER 30, 2016.

By this writ petition, the petitioner seeks a declaration that the action on the part of the respondent no.2 in asking the petitioner to produce the no objection certificate of the revenue officer for entering his name in the revenue records is illegal.

The learned counsel for the petitioner states that the issue involved in this case was also involved in a bunch of writ petitions bearing Writ Petition No.1252 of 2015 and others and this Court has, by the judgment dated 14.01.2016, allowed the writ petition and held that the Deputy Superintendent of Land Records could not have directed the petitioners therein to produce the no objection certificate. In this case also, the petitioner has purchased the property on 01.01.2015 and, hence, the amended provisions of section 37-A of the Maharashtra Land Revenue Code, 1966 would not be applicable to the case of the petitioner.

Hence, for the reasons recorded hereinabove and for the reasons recorded in the judgment dated 14.01.2016 in a bunch of writ petitions bearing Writ Petition No.1252 of 2016 and others, this writ petition is also allowed. The petitioner would be required to submit a photostat copy of the sale-deed to the respondent no.2 to point out that the sale-deed was executed before 03.03.2015. The respondent no.2 is directed to mutate the name of the petitioner in the revenue record without seeking the no objection certificate. Order accordingly. No costs.

JUDGE

JUDGE

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