

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 4862 of 2015

ORDER:-

Heard.

2. The order impugned cancels the assignment on the ground that assigned lands are not brought into cultivation and kept fallow and that none of the assignees are in physical possession over the land. Petitioner has questioned the said order, primarily, on the ground that the order of cancellation of assignment is passed after 45 years of the date of assignment and is not justified. He also submits that the explanation submitted by the petitioner is merely rejected as non-satisfactory.

3. It is evident from the impugned order passed by the Joint Collector that the findings are recorded after field verification and the issue is purely factual. Moreover, petitioner has not availed the appellate and revisional remedy under Board Standing Order-15 and has straight away approached this Court by the present writ petition.

4. Hence, I am not inclined to entertain the writ petition. However, petitioner is at liberty to avail the remedies in accordance with law if he is aggrieved by the impugned order. Since the petitioner states that the impugned order cancels the assignment after 45 years, I am inclined to stay the operation of the impugned order for a period of four weeks within which petitioner shall avail the appropriate remedy and seek appropriate orders from such appellate or revisional authority.

With the above direction, writ petition is disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 16, 2016
LMV