

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 720 OF 2017**

Prabhakar Damodhar Joshi .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

Shri Avishkar S. Shelke, Advocate for the Petitioner.  
Shri V. M. Kagane, A.G.P. for Respondent Nos. 1 to 6.

**CORAM : S. V. GANGAPURWALA AND  
K. L. WADANE, JJ.**

**DATE : 03RD MARCH, 2017.**

**PER COURT :**

. Mr. Shelke, the learned counsel submits that, the petitioner was working with the Public Works Department. An amount of Rs. 1,11,105/- was due as per the revenue recovery certificate against respondents. The said amount is payable from 26.06.2009 with 12% interest thereon. The learned counsel submits that, even the Tahsildar had taken steps for execution of the said revenue recovery certificate. The guest house of Public Works Department was attached, however, the Tahsildar was pressurized to remove the attachment. The learned counsel submits that, no steps are taken to recover the amount from respondents.

2. The learned A. G. P. submits that, in fact some amount is recoverable by the department from the petitioner.

3. The order pursuant to which revenue recovery certificate was issued, has become final. The same is not assailed. Even, it appears that, the respondents have not filed proceedings for recovery against the petitioner, nor have taken steps thereof.

4. The revenue recovery certificate is still in force. The authority is bound to execute the revenue recovery certificate.

5. We grant three months time to the respondents to make payment of the amount due and payable to the petitioner as per revenue recovery certificate. If, the amount is not paid within a period of three months by the department, then the respondent Nos. 2 and 3 shall take steps to execute the revenue recovery certificate in favour of the petitioner in accordance with law by attaching and selling all the properties of the Public Works Department. The same shall be done expeditiously. The steps shall be taken after lapse of three months immediately. The writ petition is disposed of. No costs.

**[ K. L. WADANE, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

bsb/March 17