

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.4153 OF 2007

Ranjankhol Gram Panchayat,
Ranjankhol, Tal. Rahata,
District Ahmednagar, through
Sau.Hiratai Rajendra Narode,
age: 40 years, Occ: Social work,
Sarpanch, R/o Ranjankol,
Tal.Rahata, District Ahmednagar.

Petitioner

Versus

01 The State of Maharashtra,
through the Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai.

02 The Commissioner,
Nasik Division, Nasik.

03 The Collector,
Ahmednagar, District Ahmednagar.

04 Sub Divisional Officer,
Shrirampur, District Ahmednagar.

05 The Tahsildar, Shrirampur,
District Ahmednagar.

06 The Tahasildar, Rahata,
District Ahmednagar.

Respondents

Mr.A.B.Kale, advocate for the petitioner.
Mr.S.P.Sonpawale, A.G.P. for Respondents.

**CORAM : R.M.BORDE &
SMT. VIBHA KANKANWADI, JJ.
DATE : 10th November, 2017**

ORAL JUDGMENT (Per R.M.Borde, J.):

01 The petitioner-Gram Panchayat Ranjankhol is praying for issuance of directions to the Respondent-State to issue notification and include the petitioner-village in Srirampur taluka by directing deletion of said village from Rahata taluka.

02 The aspect of inclusion or deletion of any village from any taluka, altering boundaries of any taluka or creation of any new taluka is governed by the provisions of Maharashtra Land Revenue Code and it is the domain of the State Government to direct alteration of the boundaries of the taluka or to direct constitution of new taluka in observance of the procedure prescribed in Land Revenue Code.

03 So far as the prayer made by petitioner, in the instant petition is concerned, it does appear that a draft notification was issued on 25.05.1999 in Government Gazette thereby proposing to include village Ranjankhol in Rahata taluka at Sr.No.55 in the village list. Objections were called and considering the objections, Government issued final notification on 23.06.1999. In the final notification, village Ranjankhol was included in Rahata taluka. Petitioner Village Panchayat raised an objection and requested to delete the village from Rahata taluka and include it in Srirampur taluka. Accordingly the Government issued draft notification and published in the Government Gazette on 10.08.2001, declaring deletion of Ranjankhol village from Rahata taluka and including it in Srirampur taluka. Petitioner Gram Panchayat raised objection to this draft notification dated 10.08.2001 also. In view of the objection, draft notification dated 10.08.2001 was dropped.

4 It does appear that the village Panchayat is changing its stance from time to time. In the instant petition, a request is made to include the village in Srirampur taluka.

5 It is open to the petitioner to pursue the request with the State Government and it is the domain of the State Government to consider the same in accordance with law. The administrative decision taken by the State Government need not be interfered in exercise of extraordinary jurisdiction conferred upon this Court under Article 226 of the Constitution. The final notification issued by the Government in respect of inclusion of Ranjankol in Rahata taluka need not be interfered with.

6 Keeping other options open to the petitioner to avail of the remedies available in law, petition stands dismissed.

7 Rule discharged. No costs.

SMT.VIBHA KANKANWADI
JUDGE

R.M.BORDE
JUDGE

adb/wp415307