

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

Writ Petition No. 10927 of 2017

District : Aurangabad

Bhanudas s/o. Dada Dange,
Age : 70 years,
Occupation : Labour,
R/o. Katpur, Taluka Paithan,
District Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
through Secretary,
Irrigation Department,
Mantralaya, Mumbai.
2. The Superintending Engineer,
Jaikwadi Project,
Godawari Marathwada Irrigation
Development Corporation,
Aurangabad.
3. The Superintending Engineer &
Administrator,
Labh Kshetra Vikas Pradhikaran,
Labh Kshetra Vikas Bhavan,
Garkheda Parisar, Aurangabad. .. Respondents.

.....

Mr. R.O. Awasarmol, Advocate, for the petitioner.

*Mr. S.B. Joshi, Asst. Government Pleader, for
respondent no.01.*

.....

**CORAM : R.M. BORDE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 08TH SEPTEMBER 2017

ORAL ORDER :

01. The petitioner, relying upon Government Resolution dated 26th July, 2002 contends that lease of the property which has been acquired by the State Government for irrigation purpose, in favour open jail, for a period beyond five years, is not in consonance with the policy of the State under the aforesaid resolution. The petitioner also prays for grant of lease of the property for cultivation by allotting the said property acquired by the State in his favour since he claims to be an erstwhile owner of the property.

02. Government Resolution dated 26th July, 2002 does not relate to handing over the property on lease basis by one government department or instrumentality to another government department or instrumentality. However, aforesaid resolution lays down a procedure for allotment of the acquired agricultural property on lease basis in favour of private persons. Reliance placed on Government Resolution dated 26th July, 2002 is misplaced.

03. There is no merit in the petition and the same deserves to be rejected. The writ petition is accordingly rejected.

(Smt. Vibha Kankanwadi)
JUDGE

(R.M. Borde)
JUDGE

.....