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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7492 OF 2014

Mr.Kerbhau Laxman Kachale & Ors. ..Petitioners
Vs.
State of Maharashtra ..Respondent

WITH
CIVIL APPLICATION NO.778 OF 2016

Shri Balshiram Maruti Kachan & Ors. ..Applicants
In the matter between
Mr.Kerubhau Laxman Kachale & Ors. ..Petitioners
Vs.
State of Maharashtra ..Respondent

Mr.Uday P. Warunjikar for Petitioners.
Mr.Sandeep Babar, AGP for Respondent.

CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.

DATE : 20th NOVEMBER 2017

P.C.:

In view of the stand taken by the State-Respondent in paragraph 6 of its reply dated 18th March 2016, the relief claimed in this petition cannot be extended in favour of the petitioners. Paragraph 6 of the said reply dated 18th March 2016 reads as under:-

> "6. I further submit that after perusal of the aforesaid chart, it clearly shows that the land in question Old Survey Nos.131/1B & 131/3B are owned by the

> persons mentioned herein above and the said land is not government / gairan lands as alleged by the petitioner and therefore the G.R. dated 12.07.2011 as well as the judgment of the Hon'ble Supreme Court are not applicable to the facts and circumstances of the present case."

2. In the circumstances, with liberty to the petitioners to seek appropriate remedy as may be available in accordance with law, the Writ Petition is allowed to be withdrawn.

3. The Writ Petition as also the Civil Application stand disposed of accordingly.

4. All contentions of the parties are kept open.

[G.S. KULKARNI, J.] **[SHANTANU S. KEMKAR, J.]**