

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

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 4528 OF 2017**

S. S. Shelar & Anr.

..Petitioners

Vs

The State of Maharashtra & Ors.

..Respondents

Mr. S. G. Kudle for Petitioners.

Mr. V. P. Malvankar – AGP for State.

**CORAM : SHANTANU S. KEMKAR &  
M. S. SONAK, JJ.**

**DATE : JULY 24, 2017**

**P.C. :**

Not on board. In view of urgency, taken on production board.

2] Parties through their counsel.

3] According to the learned counsel for the petitioners the relief claimed in the petition is covered by the Division Bench judgment of this Court in the case of ***Chandrakant Namdeo Patil & Ors. vs. State of Maharashtra & Ors. [Writ Petition No. 821 of 2012 decided on 4<sup>th</sup> October 2013***]. A copy of the said Division Bench order has been filed along with the petition at Exhibit 'F'.

4] The prayer has been made by the learned counsel for the

petitioners state that the writ petition may be disposed of by directing the respondent no. 4 to decide the petitioners claim, keeping in view the order passed by the Division Bench as aforesaid.

5] Having regard to the aforesaid limited prayer, without commenting upon the merits of the matter and the petitioners entitlement, we dispose of the petition by directing the Collector, Palghar, to consider the petitioners claim keeping in view the law laid down by the Division Bench in the case of *Chandrakant Namdeo Patil* (supra).

6] The decision as aforesaid be taken within three months from the date of receipt of copy of this order. In case the petitioners case is covered by the said order of the Division Bench, the consequential benefits be extended in favour of the petitioners within the aforesaid period of three months.

7] With the aforesaid directions, the writ petition is disposed of.

**(M. S. SONAK, J.)**

**(SHANTANU S. KEMKAR, J.)**