

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7968 OF 2015

Padibai Kundanmal & Anr.

... Petitioners.

V/s.

State of Maharashtra & Ors.

... Respondents.

Mr. Priti R. Tare, Advocate for the Petitioners.

Ms. R. A. Salunkhe, AGP for the Respondent Nos. 1 to 4.

**CORAM : NARESH H. PATIL AND
SMT. BHARATI H. DANGRE, JJ.**

DATE : 25th JULY, 2017

P.C. :

1 The Petitioners claim benefit under the Displaced Persons (Compensation and Rehabilitation) Act, 1954. It is submitted that the petitioners are in possession of the deed of conveyance dated 25.11.1992. The Petitioners are entitled to develop the property. By communication dated 15.02.1994 the In-charge Sub-Divisional Officer, Ulhasnagar Region, Ulhasnagar, informed the Secretary Revenue and Forest Division, that the then Administrative Officer - Mr. S. N. Gavai, had in the capacity of Assistant Administrator of the Ulhasnagar City Camp No. 5 issued certain Sanads without following the prescribed procedure. Based on this

communication further developments are being held up. The learned AGP submits that the Deputy Secretary of the Revenue and Forest Department is present in the court. On instructions, the learned AGP submits that within three months the petitioners' case will be scrutinized and a decision will be taken. In the facts of the case, we are of the view that the Petitioners case shall be scrutinized at the State level and the Petitioner shall be heard by the concerned authority and appropriate decision on merits shall be taken by passing a reasoned order.

2 The said exercise shall be completed within two months from today. We direct the Secretary Revenue, Relief and Rehabilitation Department, Government of Maharashtra to take appropriate decision on merits within two months.

3 The Writ Petition is disposed of.

(SMT. BHARATI H. DANGRE,J.)

(NARESH H. PATIL,J.)

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