

Sangharsh Kriti Seva Sanstha Kharigaon & Ors. .. Petitioners  
V/s  
The State of Maharashtra & Ors. .. Respondents

Mr. Mihir Desai, Senior Advocate with Mr. Kaushal Tamhane i/b Dhanuka & Partners for the petitioners.

Mr. A.B. Vagyani, Government Pleader with Mr. P.G. Sawant, AGP for the State.

Mr. Ashish Kamat with Mr. Himank Singh i/b Vidhi Partners for the interveners.

Mr. J.P. Sen, Senior Advocate for the Official Liquidator.

Mr. D.R. Shetty, Court Receiver with Mr. D.N. Kher, OSD and Dr. M.S. Deshpande, OSD present in Court.

**CORAM: DR. MANJULA CHELLUR, C.J. &  
N.M. JAMDAR, J.**

**DATE : 12<sup>th</sup> OCTOBER 2017**

**P.C.:**

The petitioners are before this Court on behalf of the Association of farmers claiming the following reliefs:

- (a) To call for the necessary record and proceedings from the Respondents in respect of the land from Kalwe, which is taken back by the Government from the Mafatlal Engineering Industries Ltd.;

- (b) To issue a writ of mandamus or any other appropriate writ, order or direction in that nature directing the Respondents Nos.1 and 2 to take an appropriate action for return of the land taken back from Mafatlal Engineering Industries Ltd. to the original owners of the land pursuant to the policy of the Respondent No.1 as contained in the Government Resolution dtd. 10/10/1973 or otherwise;
- (c) In the alternative to issue a writ of mandamus or any other appropriate writ, order or direction in that nature directing the Respondents to take necessary action pursuant to the recommendations made by the Committee on Petition of the Maharashtra Legislative Council by its report dtd. 08/04/2003 and to return the lands to the original owners as recommended by the said Committee of the Maharashtra Legislative Council;
- (d) To issue an order of injunction restraining the Respondents from disturbing the possession and occupation of the land in question, which is under cultivation of the original agriculturists;
- (e) To issue an order of injunction restraining the Respondents from disturbing occupation and possession of the plot of land used by the Petitioners for the last so many years for the purpose of play ground;
- (f) To issue an order of injunction during the pendency of this petition restraining the Respondents from alienating, transferring or creating any third party interest in respect of the land from Kalwe, which has been resumed by the Respondents from Mafatlal Engineering Industries Ltd.

2. After hearing the matter for some time, learned counsel for the petitioners submits that he would withdraw the writ petition and take fresh course of action in accordance with law applicable to the facts of each individual farmer.

3. In that view of the matter, without expressing any opinion on merits of the present case, we dispose of the writ petition as withdrawn.

**(N.M. JAMDAR, J.)**

**CHIEF JUSTICE**