

Sharayu.

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

WRIT PETITION NO. 1283 OF 2017

Vaibhav Laxmangiri Gosavi

...Petitioner

Versus

**Sub-Divisional Officer,
Sub-Division, Satara,
District : Satara & Ors.**

...Respondents

Mr. M.M. Sathaye, a/w Mr. Sanjay P. Shinde, for
the Petitioner.

Mr. N.C. Walimbe, AGP, for the Respondent-State.

**CORAM : SMT. VASANTI A NAIK AND
RIYAZ I. CHAGLA, JJ.**

DATE : 8 November 2017

ORDER :

By this writ petition, the petitioner challenges the letter of the Collector, dated 16th June 2016 refusing to grant permission to the vendor of the petitioner for the sale of the agricultural land to the petitioner on the ground that the petitioner should get the matter settled through the civil court.

It is stated on behalf of the petitioner that in the impugned order the Collector has

observed that though the vendor of the petitioner owned and possessed 2 hectars and 86 Ares of the land, he had sold 3 hectars and 31 Ares of land to several individuals. It is stated that the grievance of the petitioner would stand redressed, if this court directs the appropriate Revenue Authorities to grant permission to the vendor of the petitioner for sale of land that would be available after selling the land to the other six vendees that are mentioned in the report of the Sub-Divisional Officer, Satara dated 20th August 2015. It is stated that the grievance of the petitioner would stand redressed, if the writ petition could be disposed of with the direction to the appropriate Revenue Authorities to grant permission to the vendor of the petitioner for the sale of land, deducting the land that was sold to the other six vendees in the report of the Sub-Divisional Officer, Satara dated 20th August 2015 from the entire land owned by the vendor of the petitioner.

On a reading of the writ petition and on hearing of the learned counsel for the parties, we find that the request made on behalf of the petitioner is just and reasonable. The petitioner need not be directed to approach the civil court, as the petitioner would be satisfied, if permission is granted to the vendor of the petitioner to sell the land that would remain with the vendor of the petitioner after the sale of land to the remaining six parties as are mentioned in the report of the Sub-Divisional Officer,

Satara. It is therefore, necessary to direct the Collector to consider granting permission to the vendor of the petitioner for sale of the remaining land in favour of the petitioner on paying appropriate premium.

In view of the aforesaid, we dispose of the writ petition with a direction against the respondent No. 2- Collector, Satara to grant permission to the vendor of the petitioner for sale of agricultural land to the petitioner, as is permissible after deducting the land that is sold to the other six parties mentioned in the report of the Sub-Divisional Officer, Satara from the entire land owned by the vendor of the petitioner. The Collector is directed to take a decision on the application of the vendor of the petitioner for grant of permission for sale of land as early as possible and positively within a period of three months.

Order accordingly. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A NAIK, J.]