

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

BENCH AT AURANGABAD.

WRIT PETITION NO.8699 OF 2017

Smt.Mridula W/o Vijaykumar
Telore and others. ... Petitioners.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.S.A.Kulkarni, advocate for the petitioners.
Mrs.A.V.Gondhalekar, Additional Government
Pleader for the State.
Mr.P.V.Barde, advocate for Respondent No.7.

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**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 27.02.2018.

PER COURT :

1. We have heard learned counsel for the petitioners. Learned counsel submits that even as per letter of the Additional Collector dated 17.7.2012, the last date for making application U/s 28-1AA of the Maharashtra Agricultural Lands

(Ceiling on Holdings) Act, was up to 30.5.2012. The application of the petitioners was dated 12.5.2012, still, the application is rejected. The application is well within the prescribed time.

2. We have heard learned counsel for the Respondent and learned A.G.P.

3. The petitioners are praying for consideration of their application for return of land tendered to the Sub Divisional Officer on 12.5.2012. Sub-section 3 of Section 28-1-AA and proviso thereto prescribe limitation of 90 days from the date on which the amended Act of 2001 came into force. The act came into force on 2.2.2012 and as such the limitation period for making application for return of lease hold land stood extended up to 1.4.2012. The petitioners, have admittedly tendered the application beyond the prescribed period of limitation. There is no provision in the Act which confers power on the concerned authority to extend the time beyond 90 days provided under the Statute. In view of

decision rendered by the Division bench of this Court on 17.11.2014 in Writ Petition No.3277/2014 at Bombay, the instant petition does not deserves to be considered.

4. The Writ Petition is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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