

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION No. 4741 of 2017

1. Shyam S/o Gunderao Kothekar,
age 59 years occupation agriculture
R/o Plot No. 339, Yadnabhumi,
Gangakhed District Parbhani
2. Sarvottam S/o Uddhavrao Kothekar,
age 69 years occupation agriculture
R/o Gajanan Maharaj Mandir,
Siddhi Vinayak Apartment,
near Alankar Housing Society, Aurangabad. ...**Petitioners**

VERSUS

1. The State of Maharashtra
through : Revenue Department,
Mantralaya, Mumbai
2. The District Collector,
Parbhani, Collector Office, Parbhani.
3. The Chief Engineer,
Laghu Pat Bandharay Vibhag Corporation,
Water Conservation Department, Jalna
Taluka and District Jalna.
4. Taluka Inspector of Land Records,
T.I.L.R. Office, Jintur Taluka Jintur District Parbhani.
5. The Sub-Divisional Officer,
Laghu Pat Bandharay Vibhag Corporation,
Sub-Division, Partur. ...**Respondents**

Mr. Gourav L. Deshpande, Advocate for petitioners
Mr. S.S. Dande, Asstt. Govt. Pleader for respondents

**CORAM : PRASANNA B. VARALE &
MANISH PITALE, JJ.**

DATE : 24th October, 2018

ORAL ORDER:

1. Heard learned Counsel Mr Deshpande appearing for the petitioners.

2. Mr Deshpande, learned counsel submits that the land of the petitioners is located next to the percolation tank. It is further submission of Mr Deshpande that due to the percolation tank, water drips in agricultural lands of petitioners and the petitioners are facing difficulties for utilizing the lands for agricultural purposes. On the contrary, the petitioners have to suffer extra expenses for making the lands worthy of utilization for taking crops. Learned Counsel by inviting our attention to the various representations submitted that petitioners are approaching respondents No. 2 and 3 since the year 2010. Learned counsel also invited our attention to one of the representations dated 3rd October 2011 to submit that these facts are brought to the notice of the authorities and the petitioners prayed for grant of compensation for damages to the petitioners. Then the learned Counsel invited our attention to certain *panchnamas* drawn on 24th January, 2012 and a communication dated 20th February, 2013 forwarded by the Sub-Divisional Officer, Minor Irrigation (Local Authority) Sub-Division, Parbhani to Tahsildar, Jintur. Then there is also a *panchnama* drawn on 11th

October, 2012. Learned Counsel also invited our attention to the representation dated 24th September, 2013 submitted to the Collector to show that the petitioners are consistently approaching the authority. The learned Counsel then submitted that last representation is of 9th August, 2016 and though the petitioners put their grievance, demands and requests consistently to the authorities, the authorities have paid no heed to it.

3. This being limited grievance of the petitioners, in our opinion, the petition can be disposed of by issuing direction to the authorities to decide the representations.

4. In view of the above referred facts, the petition is allowed in terms of prayer clause "B".

5. We further direct that the respondents-authorities to decide the representations as expeditiously as possible and not later than 12 weeks from the date of order of this court.

6. Petition is accordingly disposed of.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE.