

psv

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

PUBLIC INTEREST LITIGATION NO.138 OF 2018

Atul Dilip Kashid

.. Petitioner

Vs.

**State of Maharashtra through Secretary
Revenue Dept. and Forest Dept. & Anr.**

..Respondents

Mr.Uday Warunjikar for Petitioner.

Ms.Nisha Mehra, AGP for State.

**CORAM : NARESH H. PATIL, ACTING C.J. AND
G.S. KULKARNI, J.**

DATE : 18th SEPTEMBER 2018

P.C.:

The learned Counsel appearing for the petitioner submits that the petitioner is an agriculturist by profession and is the co-owner of agricultural land bearing Gat No.87/2 of Village Pimple Gurav, Tal.Haveli, Dist. Pune. It is further submitted that there are various co-owners of the said property. Some of the co-owners have entered into a registered sale deed dated 7th April 2017 of

undivided portion of the said property in favour of one M/s. Om Sai Construction. The said construction company is a partnership concern and one of the partners of the said firm is Shankar Pandurang Jagtap and one is Chandraranga Developers & Pvt. Ltd. According to the petitioner, the said partner is the real brother of local MLA who allegedly misused his power and influenced the authorities for conducting survey and the measurements of the property. At that point of time, the petitioner started collecting necessary information. The petitioner submitted that the Consolidation Commissioner and Director of Land Record is the authority who supposed to fix the fees for carrying out measurements. On 6th February 2010, the rates and measurements were fixed. The said authority was pleased to display the charter of the citizens laying down the time limit in respect of the measurements to be carried out. The period for simple measurement, is prescribed as 6 months.

2. The learned Counsel appearing for petitioner submits that the Government revenue is at loss and the policy laid down by the authority concerned is not followed properly.

3. We have perused the petition. We have gone through the submissions advanced before us. The petitioner is entitled to file representation for bringing to the notice of the concerned authority his grievances which according to the petitioner, are in the nature of public interest and in the interest of revenue.

4. We have not examined the petitioner's grievances. We do not express any opinion on merits of the case.

5. The public interest litigation stands disposed of accordingly.

G.S. KULKARNI

ACTING CHIEF JUSTICE