IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 93 OF 2018

Shri Tukaram Pandurang Kadale. … Petitioner.
V/s.
Additional Collector, Nashik and others. … Respondents.

WITH
WRIT PETITION NO. 12389 OF 2018
WITH
WRIT PETITION NO. 12390 OF 2018
WITH
WRIT PETITION NO. 12391 OF 2018
WITH
WRIT PETITION NO. 12392 OF 2018
WITH
WRIT PETITION NO. 12394 OF 2018
WITH
WRIT PETITION NO. 12395 OF 2018

Shri Yashwant Babu Kaule. … Petitioner.
V/s.
Additional Collector, Nashik and others. … Respondents.

Mr.Girish R. Agrawal for the petitioners in all petitions.\
Mr.P.G.Sawant, AGP for the respondents.

CORAM : A.S.OKA AND M.S.SONAK, JJ.

DATE : 25th October 2018.

P.C.:

Not on board. Taken up on board.

2. Heard the learned counsel appearing for the petitioners and the learned AGP for the respondents. On the basis of the application

made under section 36A of the Maharashtra Land Revenue Code, 1966 (for short "the said Code"), a proposal was forwarded to the State Government through the office of the Divisional Commissioner for considering the prayer for grant of prior approval under clause (b) of sub-section (1) of section 36A of the said Code. However, no decision has been taken on the said proposal. The learned AGP, on instructions, confirms that the proposals of the petitioners are pending with the State Government. We find that the proposals have been kept pending inordinately for long time and the State Government will have to take a decision within the time specified by this Court.

3. Accordingly, we pass the following order:

(i) We direct the petitioners to produce an authenticated copy of this order before the Principal Secretary of the Revenue and Forest Department, Government of Maharashtra;

(ii) On the pending proposals for grant of prior approval under clause (b) of sub-section (1) of section 36A of the said Code, the State Government shall take appropriate decision as expeditiously as possible and, in any event, within a period of three months from the date on which an authenticated copy of this order is produced in the office of the Principal Secretary as aforesaid;

(iii) The decision taken shall be immediately communicated to the District Collector;

(iv) The District Collector shall pass an appropriate order on the pending applications under section 36A of the said

Code within a period of six weeks from the date on which the order of the State Government is communicated to him;

(v) We make it clear that we have made no adjudication on the merits of the case;

(vi) All the writ petitions are disposed of on the above terms.

(M.S.SONAK, J.) (A.S.OKA, J.)