

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.931 OF 2015

RAMESH GANPATI MUDGIRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.S.Bora, Advocate for the petitioner.

Mr.N.T.Bhagat, AGP for State.

Mr.A.V.Rakh h/f Mr.S.B.Ghute, Advocate for respondent Nos. 5 and 7.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 16/08/2019

PER COURT :

1. The petitioner points out that on 28/01/2015, this Court has passed an order protecting the petitioner with reference to the impugned order dated 02/12/2014. The said protection was granted on subsequent dates.

2. On 01/10/2016, this petition was taken up in a group of WP No.7031/2015 and 3099/2016 in the matter of Ananda Fakira Jadhav and another Vs. Mahadu Ananda Jadhav and others. This Court (Coram : T.V.Nalawade, J.) passed an order vacating the interim protection. The order indicates that the learned Advocate

appearing in WP No.7031/2015 was ready with the matter and some of the respondents were absent.

3. The learned AGP submits that the petitioner has a statutory remedy of approaching the State in view of the Law laid down by the Hon'ble Apex Court in the matter of Gurudassing Nawoosing Panjwani Vs. State of Maharashtra [2015 (6) Mh.L.J. 915].

4. The learned Advocate for the petitioner submits that a notice is now issued by the Office of the Deputy Director, Land Records dated 10/05/2019 indicating that steps are being taken for correcting the consolidation scheme.

5. The learned Advocate for respondent Nos. 5 and 7 submits that ad-interim relief was indeed granted to the petitioner and as the 3 matters were taken up together, an order was passed when these respondents were absent, on 01/10/2016.

6. In view of the above, this petition is disposed off with liberty to the petitioner to approach the State for filing a second revision, within 3 weeks from today.

7. In the event such a revision is filed within 3 weeks, the ad-interim protection granted on 28/01/2015 would continue for a period of 4 weeks after the date of the filing of the petition. Needless to state, the said revision shall be considered by the competent authority on its own merits and all the contentions of the litigating sides are kept open to be considered.

(Ravindra V.Ghuge, J.)