

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

3 WRIT PETITION NO.4620 OF 2014

CHANDRAKALABAI RAOSAHEB KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr.Latange V.P.
AGP for Respondent Nos 1 to 4: Mr.R.B.Bagul

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**CORAM : T.V.NALAWADE &
SUNIL K.KOTWAL, JJ.**

DATE : JANUARY 11, 2019

O R D E R :

Seen the main clause. Admittedly, land was not given in any way by the Government to the present petitioner and the land was given to one Bhivraji Maruti Avchar. The land was given to Avchar for personal cultivation as he was project affected person, under the policy of project scheme in the year 1966. It appears that on lease of 99 years, the present petitioner has obtained the land from that person and started business of Saw Mill on the said land. The learned counsel submitted that Saw Mill was constructed on some portion of the land. In any case, due to

conditional allotment by the Revenue Department, there was breach of condition of allotment and notice issued on 27.5.2014.

2. Learned counsel for petitioner submitted that the petitioner has applied to Collector for regularization of the lease and direction is to be given to the Collector to decide the representation.

3. This Court holds that unless there is some vested rights in the person like the petitioner in the land, no such direction could be given by this Court. It is open to the petitioner to prosecute by proper proceeding. This Court holds that no relief can be given presently in favour of the petitioner. The petition is dismissed.

[SUNIL K.KOTWAL, J.]

[T.V.NALAWADE, J.]

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