

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

WRIT PETITION NO.8754 OF 2019

Dilip Ramanlal Thacker

.. Petitioner

Vs.

The Divisional Commissioner, Pune & Ors.

.. Respondents

.....

Mr.P.S. Dani, Senior Advocate i/b. Mr.Chetan R. Nagare, Advocate
for the Petitioner.

Ms.G.U. Shinde, AGP for Respondent – State.

.....

**CORAM : A.A. SAYED AND
PRAKASH D. NAIK, JJ.**

DATED : AUGUST 21, 2019.

P.C. :

The Petitioner seeks deletion of the entries of reservation for the Kasarsai Ujawa Kalwa Vitarika Kra 7, 8, 9, 10 project from the other rights column of 7 x 12 extract of the land bearing Survey Nos.43/8B, 44/4B/ 44/6, 44/8, 44/9A, 45/1, 45/2, 46/1, 46/4, 46/5 and 49/1 in respect of land situated at village Maan, Taluka-Mulshi, District-Pune, of which the Petitioner claims to be the owner.

2 Learned Counsel for the Petitioner has placed reliance on the order dated 22nd July, 2016, passed in ***Writ Petition No.8540 of 2016 in Vijay Kailas Bhosale Vs. State of Maharashtra & Ors.*** The subject matter of the said Writ Petition pertains to the same project as in the present Petition.

3 Learned AGP does not dispute that the issue raised in the present Petition is covered by the aforesaid order passed in Writ Petition No.8540 of 2016.

4 We accordingly direct Respondent No.2 to issue necessary directions to his officials to delete the entries of reservation for the Kasarsai Ujawa Kalwa Vitarika Kra 7, 8, 9, 10 project from the other rights column of 7 x 12 extract of the lands mentioned in the prayer Clause 9(b) of the Petition, which reads as under:-

“9(b)

The details of the said lands which are reserved for the said project are stated below in tabular form:-

Sr.No.	Survey No.	Total area	Area Reserved for the said project
1	43/8B	4 H.06 R	0 H.53 R
2	44/4B	0 H.74 R	0 H.08R
3	44/6	0 H.60R	
4	44/8	0 H.06 R	
5	44/9A	0 H.79 R	
6	45/1	0 H.43 R	0 H.09 R
7	45/2	0 H.43 R	
8	46/1	0 H. 12 R	00H.33 R
9	46/4	0 H. 52R	
10	45/5	0H. 88R	
11	49/1	1 H.93 R	0H. 15R

5 The Writ Petition is allowed in the aforesaid terms.

(PRAKASH D. NAIK, J.)

(A.A. SAYED, J.)