

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8980 OF 2019

Shri Madhukar Mangly Baraf & Ors. ... Petitioners
Vs.
The State of Maharashtra & Ors. ... Respondents

Mr. Suresh M. Sabrad, advocate for the petitioners.
Mr. A.B. Kadam, AGP for the State.

CORAM : INDRAJIT MAHANTY &
N.B. SURYAWANSHI, JJ.

DATE : 26TH AUGUST 2019.

P.C. :

1. The application tendered by the Petitioners on 29/01/2016 (Annexure A) seeking permission for alienation of land under Section 36A of the Maharashtra Land Revenue Code, 1966, is pending for consideration with the Collector, Thane, and no decision has yet been taken.

2. The application tendered by the Petitioners before the Collector shall have to be forwarded to the Higher Authorities, i.e., Divisional Commissioner and the said Authority shall have to forward the same to the State Government alongwith its recommendation/report.

3. It is informed that the Petitioners have made all

necessary compliance as directed by the Collector. In the circumstances, we dispose of the Petition with following directions :

(i) The District Collector shall ensure that the Petitioners' application is forwarded to the Divisional Commissioner alongwith his report/recommendation as expeditiously as possible and preferably within two weeks from today. The Divisional Commissioner shall examine the report/recommendation made by the District Collector and shall forward the application alongwith his recommendation/report to the State Government as expeditiously as possible and preferably within two months from the date of receipt of report/recommendation of the Collector. The State Government shall thereafter take appropriate decision on the proposal/application as expeditiously as possible and preferably within two months from the date of receipt of proposal/application alongwith report/recommendation from the Divisional Commissioner.

(ii) With directions as recorded above, Writ Petition is disposed of.

(N.B. SURYAWANSHI, J.)

(INDRAJIT MAHANTY, J.)