

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

CIVIL WRIT PETITION NO. 11258 OF 2019

Shri. Bhiva Jiva Bujad and Anr.

...Petitioners

Versus

The State of Maharashtra,
Through Secretary, Revenue and Forest
Department, and Ors.

...Respondents

Mr. Suresh M. Sabrad a/w Ms. Neha R. Parte for Petitioners.
Mr. S.B. Kalel, AGP for Respondents – State.

**CORAM : S. S. SHINDE &
N. B. SURYAWANSHI, JJ.**

DATE : 18th OCTOBER 2019

PER COURT :

1. The application tendered by the Petitioners on 1st October 2019 (Annexed to the Petition at Exhibit A) seeking permission for alienation of land under Section 36-A 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 (Respondent No. 3 herein) shall ensure that the Petitioners' application is forwarded to the Divisional Commissioner alongwith his report / recommendation as expeditiously as possible and preferably within two months from today. The Divisional Commissioner shall examine the report / recommendation made by the District Collector and 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) The Writ Petition is disposed of in the aforesaid terms.

(N. B. SURYAWANSHI, J.)

(S. S. SHINDE, J.)