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

906 WRIT PETITION NO.6009 OF 2020

**DAMODAR HARIBHAU BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr A. L. Kanade, Advocate for petitioner;
Mr S. K. Tambe, A.G.P. for respondent No.1/State;
Mr U. B. Bondar, Advocate for respondent Nos.2 to 4

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 30th June, 2021

PER COURT:

1. This matter was heard for some time. A pass over was granted so as to enable Shri. Bondar, learned Advocate, who normally appears on behalf of Zilla Parishad, Aurangabad, to assist us.

2. The issue before us is as regards a claim by the petitioner for an irrigation well under the scheme titled as 'Dr. Babasaheb Ambedkar Krushi Swavlamban Yojana – 2018-2019'. There appears to be no dispute that the petitioner belongs to the Scheduled Castes category

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and is eligible under the scheme, unless there is any other legal impediment.

3. The petitioner submits that he has already been entered in the select list for the year 2018-2019 under the said scheme. Shri. Bondar submits on instructions, that the land in which the petitioner desires to sink a well, is under dispute. The learned Advocate for the petitioner submits that the petitioner has the 7/12 extract of the said property, thereby indicating that there is no dispute as alleged.

4. In our view, it is well settled in the judgment of this Court in **Shrikant R. Sankanwar and others vs. Krishna Balu Naukudkar, 2003 (3) BCR 45**, that 7/12 extract does not establish anybody's right, title and interest in the property.

5. Notwithstanding the above, copy of the representation filed by the petitioner, dated 12/09/2018 through the authorized online website portal for sanction of an irrigation well, is placed before us along with a copy of the select list. The name of the petitioner is at Sr.No.65 and at Sr. No.7 in the wait list.

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6. The learned Advocate for the petitioner submits that the petitioner is willing to file a specific representation to respondent No.2, soliciting a decision on his claim.

7. As such, this petition is disposed off with liberty to the petitioner to file a representation on or before 15/07/2021. If such representation is filed, respondent No.2 or any other competent authority shall decide the said representation, as expeditiously as possible and in any case, on or before the 20th August, 2021, on it's own merits and the decision shall be communicated forthwith to the petitioner.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk