

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

**CIVIL APPLICATION NO. 8668 OF 2019
IN
WRIT PETITION NO. 2908 OF 2014**

**WITH
CIVIL APPLICATION NO. 8669 OF 2019
IN
WRIT PETITION NO. 2105 OF 2014**

Deepak Ramrao Taur and Others ..APPLICANTS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

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Mr. S.S. Kulkarni, Advocate for applicants

Mr. P.S. Patil, Addl. Government Pleader for respondent – State

Mr. M.B. Sandanshiv, Advocate for respondent nos. 6 to 8-A in CA/8668/19

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**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATED : 05th MARCH, 2021

PER COURT :

1. The applicants seek modification of common order dated 15th October, 2018 passed in Writ Petition Nos. 2908 of 2014 and 2105 of 2014.

2. Mr. Kulkarni, learned counsel for the applicants submits that the lands, subject matter of Writ Petition Nos. 2908 of 2014 and 2105 of 2014, are given to the present applicants on *Ek Sala Lavani* basis scheme. The applicants are cultivating the said lands. The applicants are also project

affected persons. This Court, under order dated 15th October, 2018, had directed the respondents authorities to take further steps as per the report of Respondent No.5 to allot the lands to the writ petitioners. The present applicants, who are in continuous possession of the said lands since year 2009, would be dispossessed, that would cause great hardship to the applicants. The government can allot some other lands to the non-applicants and that would protect the interest of all the parties.

3. Mr. Sandanshiv, learned counsel for Respondent Nos. 6 to 8A submits that the respondents were allotted the writ lands. No steps were taken to put the present non-applicants in possession thereof. As such, the present non-applicants approached this Court and order is passed by this Court. Though the order is passed almost three years back, still the possession is not given to the present non-applicants.

4. The applicants, it appears, are in occupation of writ lands on the basis of *Ek Sala Lavani*. The permanent and perennial rights does not appear to have been created in favour of the applicants.

5. Be that as it may, it is for the authorities to consider the aspect of allotment of lands. We have, under the order sought to be modified, directed the respondents to take further steps pursuant to the report of the allotment order.

6. We may only observe that the applicants are given writ lands on *Ek Sala Lavani* basis upto 31st March, 2021. Till 31st March, 2021 the possession of the said writ land may not be taken by the government so as to enable the applicants to harvest the crop, if any. However, the same protection would not apply in favour of present applicants after 31st March, 2021. It is for the parties to take necessary steps before the authorities. The order dated 15th October, 2018 in Writ Petition Nos. 2908 of 2014 and 2105 of 2014 needs no modification.

7. Civil applications are disposed of.

(R.G. AVACHAT, J.)
SSD

(S.V. GANGAPURWALA, J.)