

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

WRIT PETITION NO.10974 OF 2018

Dadasaheb s/o. Rambhau Taur,
Age : 60 years, Occ. Agri.,
r/o. Dubba (Thadi), Tq. Majalgaon,
Dist. Beed

..Petitioner

Vs.

The District Superintendent,
Land Records, Beed and ors.

..Respondents

Mr.S.S.Gangakhedkar, Advocate for petitioner
Mr.S.P.Tiwari, AGP for respondent nos.1, 2, 4 to 6
Mr.S.G.Dodya, Advocate h/f. Mr.P.N.Muley, Advocate for
respondent no.3

**CORAM : R.G. AVACHAT, J.
RESERVED ON : MARCH 09, 2021
PRONOUNCED ON : JULY 19, 2021**

ORDER :-

Heard.

2. This petition has been directed against the order dated 31.05.2018 passed by respondent no.1 – District Superintendent of Land Records in Case No.Con/2 SR/19/2017.

FACTS :

3. The scheme of consolidation of holdings had been implemented in the village Dubbathadi, Tq. Majalgaon, Dist. Beed, way back in 1981. As a result of implementation of said scheme, the land survey no.5/1 was converted into gut no.17, while land survey no.5/2 became gut no.18, without there being any change in the area of both the lands. Respondent no.3 preferred application dated 10.01.2017 to respondent no.2, complaining about implementation of the scheme wrongly in respect of said lands. Similar application preferred by her husband way back in 2003, had been rejected.

It was the case of respondent no.3 that the land survey no.5/2 belongs to her family. Since before implementation of the scheme of consolidation, her family has been in possession of said land. However, during implementation of the scheme, land survey no.5/1 came to be shown in the name of her family members after formation of the gut (No.17).

4. It appears that the dispute was also pending before the Civil Court. In the suit and in the First Appeal as well, the petitioner has been successful. A Second Appeal is said to have been pending in this Court. It further appears that since respondent no.3 gave threat of committing self immolation (suicide), her application dated 10.01.2017 came to be allowed, with a direction to correct the scheme of consolidation of holdings that took place way back in 1981.

5. It also appears that the petitioner had, earlier, filed Writ Petition No.9085 of 2018, wherein this Court vide order dated 08.08.2018, stayed implementation of the said decision, pending Revision before respondent no.1. The authorities, however, effected change in the revenue record by certification of mutation entry nos.255 and 256. Be that as it may.

6. The petitioner, respondent no.3 and her family members have settled the matter. The terms of compromise have been inked. Learned Registrar (Judicial) of this Court has verified the compromise. The same is marked as "X" for

identification. I have also perused the terms of compromise, to find it to be neither illegal nor void. In terms of the compromise, the scheme of consolidation, as effected way back in 1981, has been sought to be restored. Respondent no.3 and her family members agreed to sell the land gut no.17 to the petitioner for valuable consideration.

7. Learned AGP representing respondent nos.1, 2, 4 to 6 raised no objection.

8. The compromise does not appear to be in breach of any of the provisions of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947. The terms of compromise are, therefore, endorsed.

9. The Writ Petition stands disposed of in terms of the compromise (Exhibit "X").

[R.G. AVACHAT, J.]