

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4012 OF 2021

Yogesh Jagannath Chavan and Ors.

...Petitioners

Versus

Union of India and Ors.

...Respondents

Mr. Yogesh Pande a/w Mr. C.M. Lokesh for the Petitioners.

Ms. Ashwini A. Purav, AGP, for the Respondent – State.

Mr. T.J. Pandian a/w T.C. Subramaniam for Respondent Nos. 1 to 3.

CORAM : PRASANNA B. VARALE &
S.M. MODAK, JJ.

DATE : NOVEMBER 23, 2021.

PER COURT :

1. Heard learned Counsel for the Petitioners.
2. There are two principal prayers in Petition, they are the prayer clauses 'c' and 'd' and same reads thus:

C) By issuing Writ of Mandamus or any other appropriate writ, order, directions in the like nature direct the respondent no. 1 to respondent no. 9 to take appropriate steps to protect and prohibit all respondents from taking forceful possession, acquisition of petitioners land.

D) All Mutation entries dated 1/3/2020 & All other Subsequent

*Alteration made by Respondent No. 1 to No. 7 in 7/12
Extract and Other Land Records be deleted.*

3. On perusal of the contentions raised in the Petition as well as the documents placed on record, in our opinion, for redressal of grievance raised in the prayer sought for in prayer clause 'c', the Petitioners can certainly avail an appropriate remedy by approaching the competent forum including the judicial forum.

4. At this stage, learned Counsel for the Petitioners submits that he is not pressing prayer clause 'c' and the Petitioners be permitted to avail appropriate remedies as available under law.

5. In so far as prayer clause 'd' is concerned, the Counsel for the Petitioners submit that a representation was submitted to Respondent No. 5 i.e. District Collector, Satara, copy of the said representation is placed on record at Exhibit 'C', page 26 to the Petition. Learned Counsel for the Petitioners submits that the representation was received by the office of the District Collector, Satara on 24/02/2020 and as per the instructions the same is pending till date. As such, the directions be issued to the authorities i.e. District Collector, Satara to decide the representation expeditiously, is the submission of learned Counsel for Petitioner.

6. This being a very limited grievance remained, we deem it

appropriate to dispose of the Writ Petition with certain directions to Respondent No. 5.

7. The Petitioners are permitted to avail the appropriate remedies as available under law. In so far as the prayer clause 'c' is concerned, the District Collector, Satara i.e. Respondent No. 5 is directed to decide the representation filed by the Petitioners and received by the office of the District Collector, Satara on 24th February, 2020, as expeditiously as and not later than 12 weeks from the date of receipt of order of this Court.

8. Needless to state that in case, the Petitioners pray for an opportunity of hearing, the District Collector, Satara may consider that aspect of the matter.

9. With these directions, Writ Petition disposed of.

(S.M. MODAK, J.)

(PRASANNA B. VARALE, J.)