

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.5737 OF 2021**

Nandkumar Nivrutti Pansare

...Petitioner

Versus

The Collector, Pune and Ors.

...Respondents

...

Mr. Sushant S. Prabhune for the Petitioner.

Ms S.B. Kalel, AGP for Respondent Nos.1 to 5 – State.

**CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.****Date : 22nd September , 2021.****P. C. :**

1. Learned counsel for the Petitioner seeks leave to add Deputy Superintendent of Land Record as Respondent No.6 to the Petition. Oral prayer is allowed. Amendment to be carried out during the course of the day.

2. Heard learned counsel for the Petitioner. The principal prayer in the petition, prayer clause (a) is as follows:-

“(a) This Hon’ble court be pleased the Respondents to follow due process of for measurement of all the Gat numbers 542, 543 and old Gat nos.7, 8 9 at Village Dalaj no.2 which is the land

acquired for rehabilitation of project affected persons and take uniform action of removal of encroachment in respect of entire acquired land impartially and without favour or fear;”

3. On perusal of the documents placed on record, it reveals that the Petitioner had approached the Deputy Superintendent of Land Records, Indapur with a request to carry out the measurements of the neighbouring survey /gat numbers of Gat No.543. Learned counsel for the Petitioner invited our attention to certain orders passed by this court i.e. an order dated 12th March, 2014 in Writ Petition No.1275 of 2014 and an order dated 3rd October, 2017 in Writ Petition No.5474 of 2017. The counsel for the Petitioner admits that the objection petition submitted to the Deputy Superintendent of Land Records, Indapur is pending.

4. In view of these peculiar facts, we are of the opinion that the petition itself can be disposed of by directing the concerned authority i.e. Deputy Superintendent of Land Records, Indapur, to decide the objection petition dated 28th December, 2020 filed by the Petitioner.

5. Learned counsel for the Petitioner further seeks liberty to supply copies of the orders passed by this Court i.e. order dated 12th March, 2014 in Writ Petition No.1275 of 2014 and order dated 3rd

October, 2017 in Writ Petition No.5474 of 2017 as annexures to the objection petition dated 28th December, 2020. The Petitioner is permitted to place on record copies of the said orders of this Court as annexures to the objection petition submitted to the Deputy Superintendent of Land Records, Indapur within one week from today.

6. Deputy Superintendent of Land Records, Indapur, on receipt of the necessary documents shall decide the objection petition as expeditiously as possible and not later than 12 weeks from the receipt of copy of this order. Petition is disposed of in above terms.

7. All concerned to act upon authenticated copy of this order issued by the registry of this Court.

[N R. Borkar, J.]

[Prasanna B. Varale, J.]