

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.2141/2021

Sumita Sambhajirao Kadam & Anrs. Petitioners

Vs.

The Tahasildar, Panvel & Ors. Respondents

Mr. Nitin P. Deshpande for the Petitioners
Mr. Karan S. Thorat, AGP for the State

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**
DATED : JUNE 24, 2021
(VIDEO CONFERENCING)

P.C.

1 Heard. By this petition under Article 226 of the Constitution of India the Petitioner seeks direction against Respondent No.1 to mutate the revenue record of the land bearing Sy.No.23/1 and No.31/1 of village Koynawale, land bearing Sy.No.46/1A of village Pendhar, Sy.No.151, 153, 250/20, 250/1/9, 107/1, 107/2, 107/3 at village Pendhar, Tq. Panvel, Dist. Raigad in the name of the Petitioner.

2 It is the case of the Petitioner that their land was acquired in the year 1965 for Koyna Project. Thereafter as per the Government policy, they had allotted the land to the Petitioner as Project Affected Person by order dated 31.10.2017. It is the case of the Petitioner that as the Respondent has failed and neglected to transfer the said land in their favour in revenue record, the present Writ Petition has been filed.

3 The learned counsel for the Petitioner submits that during pendency of the Writ Petition, the Respondent has issued another order dated 10.01.2019 cancelling the allotment letter in favour of the Petitioners. He submits that in view of the subsequent development, the Petitioner has filed another Writ Petition bearing (ST) No.5158/2020 for the following reliefs:

“(a) this Hon'ble Court may direct the Respondents to declare the Report of the Committee constituted by the Government Resolution dated 20.08.2018 forthwith;

(b) that this Hon'ble Court may, by way of appropriate writ, order or direction, quash and set aside the Order dated 10.01.2019 bearing No.Punarvasan/ Pu.4/ 31- 2016/ 2019 passed by the Collector of Raigad and further direct the Respondents to put the Petitioners in possession of the land and complete all other formalities including mutation of the Petitioners' names in the revenue record;

(c) that during the pendency and till the hearing and disposal of this Writ Petition, this Hon'ble Court may stay the effect, implementation, operation and execution of the said Order dated 10.01.2019 bearing No Punarvasan/ Pu.4/ 31- 2016/2019 passed by the Collector of Raigad;

(d) for interim / ad-interim relief in terms of prayer clause (b) hereinabove;

(e) for costs;

(f) for such other and further reliefs as the nature and circumstances of the case may require.”

4 The learned counsel for the Petitioner submits that in view of the subsequent development that the cancellation of allotment which is challenged by way of subsequent Writ Petition, nothing survives in the present Writ Petition. The statement is accepted.

5 Hence, the Writ Petition stands disposed of as infructuous.

6 No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)