

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 2353/2021

Balasaheb Baburao Takte & Ors. Petitioners

Vs.

State of Maharashtra & Ors. Respondents

Mr. Nitin Deshpande a/w. Kanchan Phatak a/w. Siddharth S.
Chpalgaonkar for the Petitioners
Smt. S. Bhende, AGP for the State

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

**DATED : JULY 1, 2021
(VIDEO CONFERENCING)**

P.C.

1 Heard.

Rule.

Rule is made returnable forthwith, by consent of the parties.

2 By this petition under Article 226 of the Constitution of India the Petitioners are seeking direction against the Respondents to delete the entry “reserved for the Project Affected Person” from the other rights’ column of the revenue records in respect of the following properties:

Sr. No.	Gat No.	Mutation Entry No.	Area acquired for rehabilitation H - R
1	1920/1	1858	O H 44 R
2	1920/2	1856	O H 44 R

3	1920/3	1857	O H 44 R
4	1920/4	1589	O H 44 R
5	1920/5	1855	O H 42 R
	Total		2 H 18 R

3 The learned counsel for the Petitioners submits that neither the Respondents had acquired their property nor paid any compensation in respect of the same. He submits that because of the entry in 7/12 extract, it is difficult for them to deal with their property. Hence, the Writ Petition.

4 On the other hand, the learned AGP for the State submits that the Government of Maharashtra, by Government Resolution dated 05.08.2019 constituted a Committee under the Chairmanship of the Collector to deal with such type of matters. Therefore, the Petitioners can be directed to make appropriate application before the concerned Collector for the same cause of action. Therefore, there is no question of entertaining the present Writ Petition.

5 Considering the submissions made by the learned counsel for the Petitioners and as the Government of Maharashtra has already issued Government Resolution dated 05.08.2019 constituting the Committee under the Chairmanship of Collector to deal with such type of matters, the petition can be disposed of with the following directions:

- a. The Petitioners are permitted to file an appropriate application before the concerned Committee as per Government Resolution dated

05.08.2019 for deleting the entries from 7/12 extract from the following properties:

Sr. No.	Gat No.	Mutation Entry No.	Area acquired for rehabilitation H - R
1	1920/1	1858	0 H 44 R
2	1920/2	1856	0 H 44 R
3	1920/3	1857	0 H 44 R
4	1920/4	1589	0 H 44 R
5	1920/5	1855	0 H 42 R
	Total		2 H 18 R

b. If such an application is filed, the Committee is directed to decide the same as early as possible, but in any case, within 12 weeks from the date of application.

c. If the decision is not taken by the Committee within 12 weeks, the concerned Revenue Authority is directed to delete the said entry from 7/12 extract of the Petitioners.

d. The parties to act on an authenticated copy of this order.

e. The Writ Petition stands disposed of in terms of the above.

f. Rule is made absolute accordingly.

g. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)