

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2409 OF 2021

Anandrao Bapuso Kalkute

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Sachin Deokar for the Petitioner.

Mr. A.I. Patel, AGP for the Respondent-State.

CORAM : K.K. TATED &
R.I. CHAGLA, JJ.

DATE : 3 July 2021

ORDER :

1. Heard the learned Counsel for the parties.
2. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.
3. By this Petition filed under Article 226 of the Constitution of India, the Petitioner is seeking direction against the Respondents to delete the entry "reserved for the Project

Affected Persons” from the other rights column of the revenue records in respect of the land admeasuring 2 Hectares 81 Ares from Gat No. 464 situated at Mouje Takli Bhima, Taluka Shirur, District Pune.

4. Learned Counsel Mr. Deokar for the Petitioner 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 the 7/12 extract about reservation, it is difficult for them to deal with their property. Hence, they filed the present Writ Petition.

5. On the other hand, learned AGP Mr. Patel for the Respondent-State submits that the Government of Maharashtra by Government Resolution dated 5th August 2019 constituted a committee under the Chairmanship of the Collector to deal with such type of matters. Therefore, the Petitioner can be permitted to make appropriate application before the concerned Collector for the same cause of action. Therefore, there is no necessity to entertain the present Writ Petition.

6. Considering the submissions made by the learned Counsel for the Petitioner and the Government of Maharashtra has already issued the Government Resolution dated 5th August 2019, constituting a committee under the Chairmanship of the Collector to deal with such type of matters, the Petition can be disposed of. Hence, the following order is passed:-

- (i) The Petitioner is permitted to file an appropriate application before the concerned Committee as per Government Resolution dated 5th August 2019 for deleting the entries from 7/12 extract in respect of the land admeasuring 81 Ares from Gat No. 464 situated at Mouje Takli Bhima, Taluka Shirur, District Pune.
- (ii) If such application is filed, the committee is directed to decide the same as early as possible, but in any case, within a period of 16 weeks from the date of application.

- (iii) If decision is not taken by the committee within 16 weeks, the concerned Revenue Authority is directed to delete the said entry from 7/12 extract of the Petitioner's land admeasuring 81 Ares from Gat No. 464 situated at Mouje Takli Bhima, Taluka Shirur, District Pune.
- (iv) Parties to act on authenticated copy of this order.
- (v) Writ Petition stands disposed of in terms of above.
- (vi) No order as to costs.

[R.I. CHAGLA J.]

[K.K. TATED, J.]