

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.596 OF 2021

Shankar Motiram Gedam

... Petitioner

Versus

The Collector, Chandrapur and others

... Respondents

Mr. Anand Deshpande, Advocate for Petitioner.

Ms. Kalyani Deshpande, AGP for Respondents.

CORAM : NITIN JAMDAR &
ANIL S. KILOR, JJ
DATE : 1 FEBRUARY 2021

P.C.:

The Petitioner has sought two reliefs. First, to restore the Patta dated 6 October 1981 cancelled in the year 1993-94. Second, a direction to decide the representation made by the son of the Petitioner on 18 February 2019.

2. The representation of the year 2019 refers the cancellation of the year 1993-94. On the face of it, there is a gross delay which need to be explained. A direction cannot be issued to the Respondent No.1- Collector to decide the representation without ascertaining whether the Petitioner is reviving a stale cause.

3. The only argument of the learned Counsel for the Petitioner is that the Petitioner had made representations.

No particulars are pleaded. Merely making occasional representations will not explain the delay of almost 30 years. The Petition is entirely bereft of particulars which will satisfactorily explain the delay.

4. Considering the fact that the Petitioner is an Agriculturist belonging to Scheduled Tribe, in case cogent reasons exist; because of the fault of the Advocate in not pleading the facts properly, he should not suffer, while we dispose of the Petition, we give liberty to file a petition with particulars.

(ANIL S. KILOR, J)

(NITIN JAMDAR, J)

Lanjewar

**Prashant
Lanjewar**

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