

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

21 WRIT PETITION NO.1046 OF 2019

**JAGDISH KESHAVNATH BONDARDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Ajaysingh Chandel h/f.
Mr. Avinash M. Reddy
AGP for Respondent / State : Mr. S.B. Yawalkar
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 29-08-2022

PER COURT :

. Heard both the sides.

2. The petitioner being 60% physically handicapped having a certificate of the competent authority sought to enforce his right under Section 43 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 as per the policy formulated by the State as published on 26.04.2001.

3. The petitioner had filed Writ Petition No.2541 of 2014 disclosing that a vacant land was available in Survey No.214 of village Shiradhon, Tal. Kallam, Dist. Osmanabad and it should be allotted to him. This Court by the order dated 25.04.2016 had directed

the respondents - authorities to allot the land according to the panchanama that was conducted on 30.03.2003, if it was available. The respondents have filed affidavit-in-reply *inter alia* disclosing that no land is now available in Survey No.214.

4. If such is the fact situation, no further orders in this petition can be passed.

5. The learned advocate for the petitioner submits that according to his instructions, some land is available in Survey No.215.

6. Needless to state that if any such land is available and the petitioner is able to enforce his statutory right, he can certainly approach the respondents - authorities with a representation and the respondents would be duty bound to consider it on its own merits.

7. With these observations, the Writ Petition is disposed of.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)