

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

906 WRIT PETITION NO.5165 OF 2022

**SHASHIKALA NANDU SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Suhail Farooqui Gulam, Advocate for the petitioners.
Mr.S.P. Tiwari, AGP for the respondent/State.

**CORAM : RAVINDRA V. GHUGE &
 ANIL L. PANSARE, JJ.
DATED : 17.06.2022**

PC :-

01. The petitioners have putforth prayer clauses (C), (D), (E), (F) and (G) as under :-

“C] That Order dated 1/10/1951 bearing outward No. VA/89/10183 may kindly be declared as null and void and non binding factor on the Petitioners.

D] By issuing writ of certiorari, any other writ or direction, the Respondent Nos.2 and 3 may kindly be directed to decide the representations made by the Petitioners on 04/06/1985, 24/07/1985, 02/10/2000, 06/08/2020 and 18/08/2021 as expeditiously as possible or within a period of 03 months in respect of land bearing Survey No.13 admeasuring 30 acres 25 Gunthas situate at Umberkheda Tq. Kannad, Dist. Aurangabad.

E] By issuing writ of certiorari, any other writ or direction, the entry in the name of State Government as supervisors/custodian over the Evacuee property land bearing Survey No.13 admeasuring 30 acres 25 Gunthas situate at Umberkheda Tq. Kannad, Dist. Aurangabad may kindly be set aside.

F] Pending hearing and final disposal of this Writ Petition, the entry in the name of State Government as supervisors/custodian over the Evacuee property land bearing Survey No.13 admeasuring 30 acres 25 Gunthas situate at Umberkheda Tq. Kannad, Dist. Aurangabad may kindly be stayed.

G] Pending hearing and final disposal of this Writ Petition, the Respondent Nos.2 and 3 may kindly be directed to decide the representations made by the Petitioners on 04/06/1985, 24/07/1985, 02/10/2000, 06/08/2020 and 18/08/2021 in respect of land bearing Survey No.13 admeasuring 30 acres 25 Gunthas situate at Umberkheda Tq. Kannad Dist. Aurangabad.”

02. The Hon’ble Supreme Court has recently held in Surjit Singh Sahni Vs. State of U.P. and Ors., in Special Leave Petition (C) No.3008 of 2022 that the issue of limitation in making representations, would not bridge the delay or be a ground for condoning inordinate delay.

03. The pleadings in the petition indicate that the property at issue was owned and possessed by one Mohammed Taher and Mohammed Akbar, who sold the same to the predecessors of the petitioners on 13.07.1950. The revenue authorities carried out the relevant entries in the revenue records on 16.06.1951. The petitioners claimed that they have moved a representation with regard to erroneous mutation entries, on 04.06.1985 and 24.07.1985 seeking correction in the entries after 34 years. A further representation was made after 15 years on 02.10.2000. Thereafter, another representation was made after 20 years on 06.08.2020 and then a representation was made after one year on 18.08.2021.

04. Considering the above, we are not inclined to exercise our extraordinary writ jurisdiction under Article 226 of the Constitution of India. This petition is, therefore, dismissed.

[ANIL L. PANSARE,J.]

[RAVINDRA V. GHUGE,J.]