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

925 WRIT PETITION NO.179 OF 2020
WITH
CIVIL APPLICATION NO.11069 OF 2022

SMT. KAMAL BHAGWAN KHARAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr Y. D. Kale, Advocate for petitioner;
Mr P. S. Patil, A.G.P. for respondents/State
Mr D. P. Palodkar, Advocate for respondent No.10

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 3rd August, 2022

PER COURT:

1. The petitioner has put forth prayer clauses (B) and (C),
which read as under :-

“B) Issue writ of mandamus or any other appropriate writ in the like nature, thereby kindly direct the respondents authorities particularly to the present respondent No.2 to 7 to immediately implement and act upon as per the basis order dated 27.10.1997 issued by the then Tahsildar, Vaijapur Gut No. 12 to extent of 4 acres and 10 R to the petitioner being Ex. Military Person.

C) Issue writ of mandamus or any other appropriate writ in the like nature, thereby kindly direct the respondents No.1 State of Maharashtra to appoint any officer being enquiry officer to make an enquiry against the responsible revenue authorities on the count of deliberate huge delay, resulted

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into great mental agony and harassment by not physically allotting the land in view of order dated 27.10.1997 issued by the then Tahsildar, Vaijapur, within stipulated period and accordingly take appropriate action in the matter.”

2. Till date, this Court has not passed any order, directing the implementation of the order dated 27/10/1997, issued by the then Tahsildar, Vaijapur, with reference to Gut No.12, limited to 4 acres and 10 Are, purportedly belonging to the petitioner.

3. We are informed that, the said order is now subject matter of a review before the Maharashtra Revenue Tribunal and an order of status-quo has been passed. This is an undisputed position.

4. Since the order, which is sought to be implemented under the directions of this Court, is already a subject matter of litigation, it would be inappropriate for this Court, to entertain the prayer clauses. As such, this petition is disposed off.

5. Considering the above, the pending Civil Application No.11069/2022 stands disposed off.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)