

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

WRIT PETITION NO. 10138 OF 2017

Sudhir @ Sudhakar Namde Kadam .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. D. Kulkarni, Advocate h/f Shri Sanket S. Kulkarni,
Advocate for the Petitioner.

Mrs. V. N. Jadhav Patil, A.G.P. for the Respondent Nos. 1 to 3.
Shri P. V. Barde, Advocate for the Respondent No. 4.

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

DATE : 23.09.2022.

FINAL ORDER (*Per Sandeep V. Marne, J.*) :-

. Heard both the sides.

2. There appears to be no dispute about the area of land to be allotted to the petitioner under the provisions of Section 28(1) (AA) of the Maharashtra Agricultural Lands Ceiling on Holdings Act (for short “said Act”). Out of total land adm. 22A 04G, now only land adm. 13A 20G remains to be allotted under the provisions of Section 28(1)(AA) of the said Act. The dispute is about the location where the same could be allotted. While the petitioner insists he is entitled to be allotted the land from Sy. No. 159, Village Shirdi, the respondent corporation is not willing to allot the land at that location.

3. We have gone through the provisions of the Government Resolution dated 04 May 2012. Under clause 10.1 of the said G.

R., if there is any dispute about fixation of location for allotment of land, such dispute is required to be referred to the Committee constituted under the G. R. and after the Committee makes recommendation, the Collector is required to take final decision.

4. Mr. Kulkarni, learned advocate appearing for the petitioner submits that his client would be satisfied, if the dispute about the location of the land is referred under clause 10.1 of the G. R. dated 04.05.2012, first to the Committee for recommendation and latter to the Collector for his final disposal.

5. Accordingly, we dispose of the present petition by directing that the dispute about the location of allotment of land to the petitioner be referred to the Committee constituted under the G. R. dated 04.05.2012. Upon receipt of recommendation of the Committee, the Collector is directed to take final decision in the matter. The entire process up to the final decision of the Collector be completed within a period of six (06) months from the date of appearance of the parties. The parties shall appear before the Committee on 10.10.2022. Writ Petition is accordingly disposed of. There shall be no order as to costs.

[SANDEEP V. MARNE, J.]

[MANGESH S. PATIL, J.]

bsb/Sept. 22