

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

68 WRIT PETITION NO.9375 OF 2022

CHANDRAKANT NAMDEO CHATE
VERSUS
THE COLLECTOR BEED AND OTHERS

...
Advocate for Petitioners : Mr. H. H. Padalkar
AGP for Respondents-State : Mr. S. K. Tambe
...

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

DATE : 21st September, 2022

PER COURT :

1. The petitioner has put forth prayer Clauses 'C' and 'D' as under :-

(C) The rule may kindly be made absolute thereby directing the Deputy Superintendent of Land Records, Vadavani/respondent no.4 to act as per the letter dated 06/09/2021 issued from the office of the Tahsildar, Vadavani/respondent No.2

(D) The rule may kindly be made absolute thereby quashing and setting aside the impugned order dated 14/07/2022 issued from the office of the Tahsildar, Vadavani/respondent no.2 and further setting aside the mutation entry no.11939 carried out in pursuance to order dated 14/07/2022 issued from the office of the Tahsildar, Vadavani/respondent no.2

2. The learned Advocate for the petitioner submits on instructions that if the direction issued by the Tahsildar, Vadavani, to the Deputy Superintendent of Land Records, Vadavani, dated 06/09/2021, is acted upon, the petitioner's grievance may be redressed. Insofar as the impugned order dated 14/07/2022 is concerned, he submits that the petitioner would avail of a remedy as is permissible under Section 247 read with Annexure 'E' of the Maharashtra Land Revenue Code.

3. In view of the above, this petition is disposed off. Respondent No.4 is directed to act in accordance with the communication dated 06/09/2021 addressed to him by respondent No.2. Let the due procedure laid down in law be followed while initiating such action. If the stake holders / concerned persons are required to be heard, an appropriate procedure will be adopted to cause a hearing as may be prescribed in law. The time spent by the petitioner in this Court since 25/08/2022 until the passing of this order, may be considered as a good ground for condonation of delay, if any.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.