

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

75 WRIT PETITION NO.9382 OF 2022

SHRI. SARASWATI SAHAKARI BHADEKARU MALAKI HOUSING SOCIETY
LTD. THROUGH ITS CHAIRMAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

Advocate for Petitioner : Mr. V. D. Sapkal, Senior Advocate i/b
Mr. S. R. Sapkal
AGP for Respondents-State : Mr. A. R. Kale

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

DATE : 21st September, 2022

PER COURT :

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

(B) To direct the respondent no.3 to decide the proposal dated 09.06.2008, 14.12.2020, 14.09.2021 submitted by the petitioner society for converting the land from agricultural to non agricultural purpose. By issuing appropriate writ order direction as the case may be.

(C) To hold and declare that the land to the petitioner society has been converted for Non Agricultural purpose in view of the deeming provisions made under the section 44 of the Maharashtra Land Revenue Code. By issuing appropriate writ order direction as the case may be.

(D) To direct the respondent no.3 to decide the proposal dated 09.06.2008, 14.12.2020, 14.09.2021 submitted by the petitioner

society for converting the land from agricultural to non agricultural purpose. Pending hearing and final disposal of this Writ Petition.

2. The learned Senior Advocate submits that the proposal dated 09/06/2008, which is 14 years old, may be ignored. However, the proposal dated 14/12/2020 and 14/09/2021 by which the NA permission has been sought, is still pending and the same can be directed to be decided by the District Collector, Latur, within three months.

3. In view of the above, this petition is disposed off with a direction to respondent No.3 District Collector, Latur, to deal with the proposal dated 14/12/2020 and 14/09/2021 filed by the petitioner Society. He shall take assistance of any of the respondents, including the Town Planner, Town Planning Department, Latur Municipal Corporation and all these respondents would be obliged to render co-operation to the District Collector. We expect the said exercise to be completed, on or before 30/12/2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.