

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

915 WRIT PETITION NO.7028 OF 2019

**DEVILAL TEJLA PATLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioners : Mr. Narwadkar Mrigesh D.
AGP for Respondents : Mr. S.G. Karlekar
Advocate for Respondent No.4 : Mr. R.N. Chavan h/f Mr. Deepak B.
Chavan

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**CORAM : A.S. GADKARI &
S.G. MEHARE, J.J.**

DATED : 17th FEBRUARY, 2022

PC.:-

1. By the present petition, the petitioners have made a grievance that, their claim for forest rights as contemplated under the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has not been considered by the respondent no.4 on the ground that, there was a delay in filing their representation.

2. Learned counsel for the petitioners submitted that, there is no provision in the said act mandating limitation for filing their representation with the respondent no.4 within stipulated period. He submitted that, petitioners are tribals and were not aware of the intricacies of law, to lodge their claim after enactment of the said act.

3. Learned counsel appearing for respondent no.4, on instructions submitted that, the respondent no.4 – Committee will consider the representation of the petitioners as contemplated under Section 6 r/w Rule 11 of the said Act afresh and on its own merits. The said statement is accepted.

4. In view thereof, petitioners are directed to file their representation with the respondent no.4 within a period of four weeks from today. If such a representation is filed by the petitioners with the respondent no.4 – Committee within a period of four weeks from today, the respondent no.4 – Committee is directed to consider the said representation as per the provisions of law and on its own merits.

5. Petition is accordingly disposed off.

(S.G. MEHARE. J.)

(A.S. GADKARI, J.)

Mujaheed//