

m **IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8795 OF 2022

M/s. Dhariwal & Chhoriya Buildcon Pvt. Ltd.Petitioner

Versus

The District Collector, Solapur and ors.Respondents

Mr. Harishchandra D. Chavan, Advocate for the petitioner.

Mr. N. K. Rajpurohit, AGP for the State.

**CORAM : PRASANNA B. VARALE &
KISHORE C. SANT, JJ.**

DATE : 25th JULY, 2022.

P.C. :

1. Heard learned counsel for the petitioner.
2. The principal prayer in the petition is prayer clause (b) which reads thus:

“b) By way of appropriate Writ, order and/or direction, this Hon’ble Court may kindly be pleased to direct the Respondent No.2 to decide application dated 17.05.2021 filed by the Petitioner thereby seeking independent 7/12 extract of plot No.23, 72, 143 and 202 of land bearing Gat No.1200, 1201/A/1, 1201/A/2, 1201/A/3, 1201/B and 1202 (New Gat No.1200, 1201 and 1202), situate at Mauje Velapur, Tal. Malshiras, Solapur.”

2. The petitioners are the purchasers of certain non-agricultural

land situated in Village – Velapur, Taluka Malshiras, District Solapur. Initially, the land was an agricultural land. By obtaining necessary permissions, the conversion of land was sought for and after purchase of the said land, applications/representation were made to Tahsildar – Malshiras. The 1st such application/representation was made on 9th March, 2021 and the 2nd application/representation was made on 29th March, 2021. Copies of the said applications/representations are placed on record at pages 56 and 58 respectively. It is submitted in the application/representation that final order in respect of conversion of the land was passed by the competent authority on 28th January, 2015. The approved copies were also submitted to the authority. As per the final plan, the petitioner became owner and possessor of 485 plots. When the petitioner verified the 7/12 extracts on online portal, it was found that the record was showing the entries of old 7/12 extracts. Accordingly, the petitioner requested the Tahsildar to cancel the old entries and effect new entries of 7/12 extracts and, accordingly, registers be updated. As there was no progress in the matter, by way of application/representation dated 17th May, 2021, the petitioner approached the Sub-Divisional Officer, Akluj, Taluka Malshiras, apprising the Sub-Divisional Officer that in spite of the applications/representation submitted to the Tahsildar, Malshiras, the Tahsildar failed to take necessary steps within reasonable period, as such, the petitioner has approached the Sub-Divisional Officer. The copy of the said application/representation dated 17th May, 2021, was also

forwarded to respondent Nos.1, 3, 5 and 6. It seems that on receipt of the copy of the application/representation forwarded to respondent No.1- District Collector, Solapur, from the Office of the District Collector – Solapur and under instructions of the Collector, a communication was forwarded to the Sub-Divisional Officer on 14th December, 2021. By way of said communication, the application filed by the petitioner along with other documents was forwarded to the Sub-Divisional Officer and the Sub-Divisional Officer was intimated to conduct a detailed enquiry as per the prevailing rules set out by the State of Maharashtra and to take appropriate action and to forward the intimation of such action to the petitioner. The grievance is that in spite of such communication dated 14th December, 2021, till filing of the petition in this Court on 16th May, 2022, neither steps are taken by the Sub-Divisional Officer nor any order is passed by the Sub-Divisional Officer.

3. Considering this limited grievance, we pass the following order :

ORDER

(1) Respondent No.2 – Sub-Divisional Officer, Akluj, Taluka Malshiras, District Solapur, is directed to take appropriate steps and pass order in pursuance of the communication dated 14th December, 2021 as expeditiously as possible and not later than eight weeks from the date of receipt of the order of this Court.

In view of the above, the writ petition stands disposed of.

4. Before parting, we deem it appropriate to direct the Collector, Solapur, in particular, and all the District Collectors of State of Maharashtra as well and Divisional Commissioners of the respective Divisions to consider such situation wherein the citizen approaches the low ranking authority in the State of Maharashtra for limited grievance regarding effecting revenue entries and change of entries and as no orders are passed by the subordinate officers, he approaches the superior officers, and the superior officers, in turn, forward the communication to the subordinate officers and in spite of such communication forwarded to the subordinate officers, the subordinate officers fail to take any steps within a reasonable period and the citizen is left with no alternative but to approach this Court in such matters, which may be trivial matters, what may be important to the citizen in his day-to-day life. If the subordinate officers take appropriate steps and pass orders on these applications within reasonable time, the citizens would have no occasion to approach this Court by filing petitions to raise such grievance. Filing of number of such petitions, not only add burden upon this Court, but more importantly, the citizens are required to run from pillar to post for redressal of their simple grievances.

5. It is observed by this Court that the number of such kind of petitions is not less in this Court. We hope and trust that the superior

authorities such as the commissioners of respective revenue commissions and the collectors of respective Districts would issue necessary directions to the subordinate officers to act and decide the applications/representations submitted to them by the citizens within a reasonable period and not to keep such applications/representation pending for unreasonable and longer period. We further direct that the Chief Secretary may also issue appropriate guidelines to the Heads of the Commissioners, Districts and other subordinate officers.

6. A copy of this order be forwarded to the Secretary of the Revenue Department as well as to the Chief Secretary of the State of Maharashtra.

7. All concerned to act upon a copy of this order duly authenticated by the Registry of this Court.

(KISHORE C. SANT, J.)

(PRASANNA B. VARALE, J.)