

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.12240 OF 2022**

Kondiba Murlidhar Ingale

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

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Mr. Prashant R. Suryawanshi i/b Mr. Gajanan M. Savagave for the  
Petitioner.

Smt.R. M. Shinde, AGP for the Respondent Nos.1 to 6-State.

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**CORAM : NITIN JAMDAR &  
SHARMILA U. DESHMUKH, JJ.**

**DATED : 17 OCTOBER 2022.**

**P. C. :**

The Petitioner, by this Petition, is challenging the letters dated 10 January 1986 and 20 March 1973. The Petitioner is also seeking a direction to delete the entry of the State from the Revenue Records.

2. On 21 January 1985, a notification u/s 4 of the Land Acquisition Act, 1984 was issued in respect of acquisition of the subject land for the Hingani Pangaon Project. Thereafter, on 9 September 1986 award was declared. It is assertion of the Petitioner that physical

possession has not been taken from the Petitioner and therefore land is not vested in the State and therefore necessary direction be issued to delete the entry of the State Government from the revenue record.

3. Considering that the award is of the year 1986 and entry pursuant to the same in the revenue records have already been mutated to show the name of the State Government, it is not enough for the Petitioner to only state in one line that the Petitioner is in sole possession. The Petition is bereft of any particulars. Photograph as of today have not been placed on record. In spite of repeatedly pointing this out, no further action is taken, not even additional affidavit is filed. Therefore, unless this fact is conclusively proved, we cannot overlook the delay from the year 1986 till 2022 to initiate further proceedings in this writ petition. Even if it is assumed that such a challenge is permissible, merely by making representations the delay and laches cannot be overcome, as the starting point is the original cause of action.

4. The Writ Petition therefore cannot be entertained and is accordingly rejected.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)