

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

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WRIT PETITION NO.14346 OF 2022

Gram Samiti Karanjade

.. Petitioner

Versus

The Collector, Raigad & Ors.

.. Respondents

Mr.Prashant D. Patil for the petitioner.

Mr.S.L. Babar, AGP for the respondent nos. 1 to 3 & 7-State.

Mr.Ashutosh M. Kulkarni for the respondent nos.4 to 6-CIDCO.

**CORAM : R.D. DHANUKA &
S.G. DIGE, JJ.**

DATE : 23rd November 2022

P.C.:-

. Rule. Mr.Babar, AGP waives service for the respondent nos.1 to 3 & 7. Mr.Kulkarni, learned counsel waives service for the respondent nos.4 to 6. Rule is made returnable forthwith.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks a writ of mandamus against the respondent authorities to demarcate the boundaries of the gaathan area of Karanjade Village Taluka Panvel, District Raigad. The petitioner has also prayed for a writ of mandamus against the respondent nos.1 to 6 to decide the Representation dated 18th January 2022 filed by the petitioner.

3. Learned counsel for the petitioner states that the representation made by the petitioner has to be decided by the respondents. He does not press prayer clause (a) of the petition at this

stage.

4. The respondent no.1 is accordingly directed to decide the Representation dated 18th January 2022 filed by the petitioner within eight weeks from today in accordance with law. The respondent no.1 shall grant personal hearing to one of the persons to be authorised by the petitioner to represent the petitioner. The State Government shall communicate the name of the authority who will decide the representation made by the petitioner to both the parties one week in advance before the date of hearing.

5. At the time of hearing the petition, the petitioner is directed to remain present to argue the matter before the respondent no.1. The CIDCO is also permitted to authorise one of the representatives to represent before the respondent no.1. Order that would be passed by the respondent no.1 shall be communicated to the petitioner and CIDCO within one week from the date of passing order. The respondent no.1 shall grant seven days' clear notice to both the parties to remain present before him.

6. If the representation filed by the petitioner is accepted by the respondent no.1, consequential relief as permissible in law shall be granted within four weeks thereafter. If the representation filed by the petitioner is rejected by the respondent no.1, the petitioner would be at liberty to file proceedings permissible in law. This Court has not expressed any views on merit of the matter. All the contentions of both the parties are kept open.

7. Writ petition is disposed off in aforesaid terms. Rule is made absolute. No order as to costs. Parties to act on the authenticated copy of this order.

S.G. DIGE, J.

R.D. DHANUKA, J.