

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7059 OF 2022

Bhamabai Kondiba Yelwande

...Petitioner

 $V_S.$

The State of Maharashtra and Ors.

...Respondents

Ms. Shakuntala S. Wadekar for the Petitioner.

Mr. V. S. Gokhale 'B' Panel counsel for the Respondent-State.

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

DATED : 3 OCTOBER 2022.

P. C.:

Heard the learned counsel for the parties.

2. By this petition, the Petitioner has sought a writ of mandamus to direct the Respondents to delete the entries of reservation for project affected persons from other rights column of the 7/12 extract of Gat No.877 situated in village Nigoje, Taluka Khed Dist:Pune. According to the Petitioner, acquisition has lapsed, however entry is continued causing great prejudice to the Petitioner in respect of dealing with the property.

3. The learned counsel for the Petitioner has drawn our attention to the various orders that have been passed by the Division Bench of this Court whereby the Respondent is directed to delete the entry within time bound period in the Petition.

4. Learned AGP submits that a Review Committee has been constituted and as per Government Resolution dated 5 August 2019 procedure has been laid down to delete revenue entries from other rights column and it would be the Committee who would take necessary action. The learned counsel for the Petitioner states that Review Committee constituted does not specify any time limit and therefore what is necessary is that this Court should issue necessary directions.

5. We have perused various orders passed directing deletion of the entries from revenue records. However, these directions have been issued when there was no machinery established by the State Government and generally writ Court would not issue writs for changing revenue records. Such writs were issued because of lack of machinery set up by the State. Government Resolution dated 5 August 2019 refers to orders passed by this Court and also directions to set up a mechanism, thereafter review committee has been established where a procedure has been laid down. If it is correct, as contended by the learned counsel for the Petitioner that there is no particular time limit,

the review committee has to take final action. We cannot be unmindful of the fact that machinery is set up by the State Government to look into the grievance such as the present one. We also note that the review committee has to hold monthly meeting as provided in the Government Resolution. Accordingly, we dispose of the Writ Petition directing that the Petition be placed before the Review committee in the meeting to be held next. Thereupon, the review committee will take necessary decision within a period of 8 weeks and inform the concerned Petitioner.

- i) The Writ Petition is accordingly disposed of.
- ii) Office of the Government Pleader to forward a copy of each of the petition to the Review Committee as representation of the respective Petitioner.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)