

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

WRIT PETITION NO.4962 OF 2021

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Shri Balasaheb Abasaheb Deshmukh Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

Mr.Drupad S. Patil for the Petitioner

Ms.R.M.Shinde, A.G.P. for the State

**CORAM: S.V.GANGAPURWALA &
VINAY JOSHI, JJ.**

DATED : MARCH 16, 2022

P.C.

. Heard.

2. The learned counsel for the petitioner submits that the order is already passed in favour of the petitioner directing delivery of possession of property bearing gut no.1245 to the extent of 58R, gut no.65 to the extent of 50R and gut no.492 to the extent of 12R situated at village Markal, Taluka Khed District Pune. The Petitioner is ready to deposit the amount for possession as directed by the said order. However, till date name of the petitioner is not mutated in the 7/12 extract.

3. We have heard the learned A.G.P.

4. In fact the petitioner is also required to perform his part by depositing the amount as directed under the said order. Unless the petitioner deposits the amount as directed under order dated 22.07.2019, Respondents cannot be expected to take further steps in law and hence, we pass the following order:

5. It appears that the petitioner had applied for challan in February 2021. The petitioner may make application afresh for issue of challan pursuant to the order dated 22.07.2019 passed by Deputy Collector (Rehabilitation) at page 19 of the petition. The authority shall issue challan for the said amount and the Petitioner shall deposit amount within period of one month from the date of issue of challan. In case there is no impediment then possession may be handed over to the Petitioner of the land as detailed in order dated 22.07.2019 (page 19) preferably within 4 months from the date of deposit of amount.

6. Writ Petition stands disposed of accordingly. No order as to costs.

(VINAY JOSHI, J.)

(S.V.GANGAPURWALA, J.)