

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14579 OF 2022

Shri.Dashrath Mahadu Korade

Since. Decd. Thr. Lrs & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

WITH

WRIT PETITION NO.13618 OF 2022

Shri.Laxman Gangaram Kadlag

Since Decd. Thr. Lrs.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

WITH

WRIT PETITION NO.13615 OF 2022

Smt.Savalabai Madhu Kale

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

WITH

WRIT PETITION NO.14581 OF 2022

Shri.Krishna Kondaji Pawar

Since Decd. Thr. Lrs.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

Mr.Sachin H. Deokar i/b Mr.J.R. Jadhav for the Petitioners in all
Writ Petitions.

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Mr.A.I. Patel, Addl. GP a/w Ms.Kavita N. Solunke, AGP Mr.A.P. Vanarase, AGP, for Respondent Nos.1 to 5-State in all Writ Petitions.

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

DATE : 28 NOVEMBER 2022

P.C:-

. Rule. Ms.Solunke, the learned AGP waives service for all Respondents in all the Petitions. Rule is made returnable forthwith. Heard finally by consent of the parties.

2. By these petitions filed under Article 226 of the Constitution of India, the petitioners are seeking an order and directions for Respondent No.4 to decide the proposals which are pending for quite some time. The details of the proposals are described in prayer clauses of the respective Petitions.

3. By these proposals the Petitioners seek allotment of the permanent alternate land in respect of the various lands described in prayer clause (d) of the Petitions.

4. The learned counsel for the Petitioners invited our attention to the communication dated 23 March 2021 from the Tahasildar Khed (Pune) to the Collector, Pune recording various documents that are produced by the Petitioners in support of

their representations in Writ Petition No.14579 and various other communications in other Petitions. He states that the representations are still pending. The statement is accepted.

5. If the Petitioners are required to submit any other documents according to the Respondent No.4, the list of such documents which are required to be submitted by the Petitioners shall be communicated to the Petitioners by the Respondent No.4 within two weeks from today. The Petitioners would comply with the requisitions within two weeks thereafter.

6. After the documents/details as may be required by the Respondent No.4 are submitted the proposal shall be decided upon within eight weeks from the date of the compliance of the requisition by the Petitioners and the order shall be communicated that would be passed within one week from the date of passing of such order.

7. It is made clear that plots which are available according to the Petitioners as set out in the proposals are if available and if the Petitioners are entitled for allotment of the plots, the Respondent No.4 shall consider the allotment of such plots, subject to availability and eligibility of the Petitioners.

8. If the proposals of the Petitioners are allowed, the consequential reliefs sought by the Petitioners in the proposals shall be granted within eight weeks from the date of the passing of the order as may be permissible in law and if the proposals are rejected, the Petitioners would be at liberty to file appropriate proceedings as may be permissible in law.

9. The Writ Petitions are disposed of in the aforesaid terms.

10. Rule is made absolute in the aforesaid terms. No order as to costs.

11. The parties to act on the authenticated copy of this order.

12. It is made clear that this Court has not expressed any views on merits of the proposals made by the Petitioners.

13. All contentions of all parties are kept open.

(S.G. DIGE, J.)

(R.D. DHANUKA, J.)