

Mr. Suresh M. Sabrad a/w Mr. Amey Sawant, for the Petitioner.
Ms. S. D. Vyas, 'B' Panel Counsel, for the Respondents.

**CORAM : REVATI MOHITE DERE &
MADHAV J. JAMDAR, JJ.**

DATE : 22nd APRIL 2022

P.C. :

1. Learned Counsel for the petitioner seeks leave to amend. Leave granted. Amendment to be carried out forthwith. Re-verification is dispensed with.
2. Petition will be taken up in the second sessions, after the amendment is carried out.

In second session:-

3. Heard learned counsel for the parties.

4. The grievance of the learned counsel for the petitioner is that the Appellate Authority i.e. the Hon'ble Revenue Minister, Government of Maharashtra, Mantralaya, Mumbai, has only awarded the principal amount to the petitioner vide order dated 13th July 2021. He submits that the appeal was filed in 2015, however, despite a prayer having been made seeking interest on the principal amount, the same has not been considered by the Hon'ble Revenue Minister.

5. Perused the papers. It appears that the petitioner had preferred an Appeal before the Hon'ble Revenue Minister praying for refund of Rs.30,40,140/- deposited by the petitioner on 9th February 2015, with interest @ 12% p.a, in lieu of the auction held in respect of the site at Bhabhulsar, Taluka – Shirur, District – Pune. The grievance of the petitioner is that the Hon'ble Revenue Minister did not consider or decide the petitioner's prayer for grant of interest, though the amount of Rs.30,40,140/- deposited by the petitioner was lying with the respondents for more than six years, for not fault of the petitioner. Vide order dated 13th July 2021, the Hon'ble Revenue Minister awarded only the principal amount of Rs.30,40,140/-. It appears that the prayer seeking

interest on the said principal amount has neither been considered nor decided. There is no discussion in the order with respect to the interest sought on the principal amount.

6. Hence, we grant liberty to the petitioner to file an appropriate appeal before the Hon'ble Revenue Minister, only for seeking interest on the principal amount of Rs.30,40,140/-.

7. If such an appeal is filed by the petitioner, the Hon'ble Revenue Minister is requested to decide the same, as expeditiously as possible, and in any event within 8 weeks from the date of filing of the appeal.

8. The Petition is allowed in the aforesaid terms and is accordingly disposed of.

9. All concerned to act on the authenticated copy of this order.

MADHAV J. JAMDAR, J.

REVATI MOHITE DERE, J.