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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
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Date: 2022.11.28
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WRIT PETITION NO.14441 OF 2022

Bhagu R. Khedekar, since deceased
Through Legal Heir – Dnyanoba B. Khedekar ...Petitioner
V/s.
The Collector of Pune & Ors. ...Respondents

Mr.Sanjiv A. Sawant with Mr.Abhishek Deshmukh and Mr.Digvijay
Palande for the Petitioners.

Mrs.Rupali M. Shinde, AGP for the State – Respondent Nos.1 to 7.

CORAM : R.D. DHANUKA &
S.G. DIGE, JJ.
DATE : 25TH NOVEMBER, 2022.

P.C. :-

1. Rule. Mrs.Shinde, learned AGP waives service for the respondents.. 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 nos.4 to 6 to forthwith insert the name of the petitioner into the revenue records in respect of the properties described in prayer clause (a) of the petition. The petitioner seeks an order against the respondent nos.4 to 6 to decide the representation made by the petitioner on 19th October, 2022. The representation is for recording

the name of the petitioner in the mutation entry and 7x12 extract in respect of the land described in prayer clause (a) of the petitioner.

3. Mr.Sawant, learned counsel for the petitioner on instructions states that the land described in prayer clause (a) is already allotted to the petitioner and the petitioner has been already put in possession. The petitioner claims to be in possession of the said land even today. Statement is accepted.

4. We direct the respondent nos.4 and 5 to decide the said representation made by the petitioner within eight weeks from today, without fail and shall communicate the order that would be passed by the respondent nos.4 and 5 to the petitioner within one week from the date of passing order. If the representation of the petitioner is allowed, the reliefs sought in the representation shall be granted within four weeks thereafter permissible in law and if the same is against the petitioner, the petitioner would be at liberty to file appropriate proceedings permissible in law.

5. Till such time the representation made by the petitioner is decided by the respondent nos.4 and 5 and for a period of two weeks from the date of communication of the order, if the same is adverse against the petitioner, the respondent nos.4 and 5 shall not allot the land which is already allotted to the petitioner to any other party. It is made clear that this Court has not expressed any views on the

merits of the said representation made by the petitioner. All contentions are kept open.

6. The writ petition is disposed of. Rule is made absolute. There shall be no order as to costs. Parties to act on the authenticated copy of this order.

(S.G. DIGE, J.)

(R.D. DHANUKA, J.)