

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

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WRIT PETITION NO.15087 OF 2022

Vitthal Laxman Kadam @ Khudupale

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr.Gautam T. Kanchanpurkar for the petitioner.

Ms.K.N.Solunke, AGP for the respondents-State.

**CORAM : R.D. DHANUKA &
M.M. SATHAYE, JJ.**

DATE : 7th December 2022

P.C.:-

. Rule. Learned AGP waives service for the respondents-State. Rule is made returnable forthwith. By consent of the parties, petition is heard finally.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks direction against the respondent nos.4 and 5 to decide the representation dated 14th September 2022 made by the petitioner. We have heard the learned AGP for the respondents-State.

3. We accordingly pass the following order :-

(i) The respondent nos.4 and 5 are directed to decide the petitioner's representation dated 14th September 2022 within eight weeks from today in accordance with law after deciding the eligibility and availability of the alternate land as suggested.

(ii) The respondent nos.4 & 5 are directed to give personal hearing to the petitioner. Order that would be passed by the respondent nos.4 & 5 shall be communicated to the petitioner within one week from the date of passing order.

(iii) The petitioner would be at liberty to file the documents in support of his case.

(iv) If the representation filed by the petitioner is allowed by the respondent nos.4 & 5, consequential relief as permissible in law shall be granted within four weeks thereafter.

(v) If the representation filed by the petitioner is rejected by the respondent nos.4 & 5, the petitioner would be at liberty to adopt appropriate legal proceedings permissible in law.

(vi) It is made clear that this Court has not expressed any views on the petitioner's entitlement. All the contentions of both the parties are kept open.

5. Writ petition is disposed off in aforesaid terms. Rule is made absolute. No order as to costs.

M.M. SATHAYE, J.

R.D. DHANUKA, J.