

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

944 WRIT PETITION NO.2613 OF 2022

ASARAM JANARDHAN SURVASE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Ashok R. Tapse
AGP for Respondent – State : Mr. A.R. Kale
...

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 21-04-2023

PER COURT :

1. Petitioners have applied for conversion of land from Class-II to Class-I before the Tahsildar. The Tahsildar has forwarded the said application to Deputy Collector Rehabilitation on 4th June, 2019, which is pending decision till this date. Therefore, petitioners have approached this Court through Writ Petition No.9662 of 2021 seeking direction to respondent authority to decide the application. This Court in the above referred writ petition has passed order dated 01st September, 2021 directing respondent – authority to decide the application of petitioner on its own merits, in accordance with law and policy, preferably within a period of four months.

2. The fact remains that till this date, by referring the matter to the government seeking clarification, the aforesaid order is not complied by respondent.

3. Respondent - Sub Divisional Officer based on the reference being made to the government seeking clarification has disposed of the application of petitioner which decision was uncalled for.

4. In this background, we direct respondents – authorities to take the decision as has been directed by this Court vide order dated 1st September, 2021 within a period of four months from today and communicate the decision so taken in writing.

5. In case if respondents failed to take decision, it shall be open for petitioners to initiate the contempt proceedings against respondents.

6. With the aforesaid directions, writ petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)