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

47 WRIT PETITION NO.9619 OF 2023

**PARVATI RAMA RASAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH
EARTHQUAKE REHABILITATION DEPARTMENT AND
OTHERS**

....

Mr G. J. Kore, Advocate for Petitioner;
Mr P. K. Lakhotiya, A.G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 8th August, 2023

PER COURT:

1. The Petitioner claims to be a sufferer of the 30/09/1993 earthquake with the epicenter in the Sastur and Killari areas. She was entitled to a plot in the light of the Government Resolution, which is neither pleaded nor placed on record. It is further contended that, she and her husband had two houses and, therefore, both of them were entitled to one house each.

2. The prayer clauses (B) and (C), put forth by the Petitioner, are as under :-

(2)

“B) To issue Writ of Mandamus or any other appropriate writ in the like nature and the Respondent No. 2 may kindly be directed to allot plot No. 407 situated at village Kaldeo Nimbala Tq Omerga Dist. Osmanabad to the petitioner.

C) To issue writ of Mandamus or any other appropriate writ, order or directions in the like nature the Respondent No. 2 may kindly be directed to consider the representation dated 19/11/2015, 07/12/2015 and 18/10/2022.”

3. Pursuant to the representation dated 19/11/2005, the Tahsildar, Omerga addressed the Deputy Collector (Rehabilitation), Osmanabad, vide communication dated 27/03/2017, suggesting that the request of the Petitioner could be considered for allotment of a plot. Thereafter, the *Avval Karkun* from the office of District Collector (Rehabilitation), Osmanabad, has addressed the Tahsildar, Omerga, by a communication dated 07/01/2019, asking for further details and a report. Copies are addressed to the Petitioner.

4. In view of the above, **this petition is disposed off**, with a direction to Respondent No.3, to consider the record of the Petitioner and after verifying as regards her right and claim for a plot in the backdrop of her deceased husband having already been granted another plot, a decision be arrived at within 60 days from

(3)

today. The said decision shall be communicated to the Petitioner within two weeks, thereafter.

(Y. G. KHOBRADE, J.)

sjk

(RAVINDRA V. GHUGE, J.)