

(1)

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

907 WRIT PETITION NO.9318 OF 2023

**JAYSHRI ALIAS BHARTI SUBHASH SHELKE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS**

....

Mrs S. A. Dhumal (Tambat), Advocate for Petitioner;
Mr P. K. Lakhotiya, A.G.P. for Respondents/State

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

DATE : 22nd August, 2023

PER COURT:

1. On 01/08/2023, we had passed the following order :-

“1. The Petitioner has put forth prayer clauses (C), (D) and (E) as under:-

“(C) By issue of writ of Mandamus or any other appropriate writ, order or direction in the nature of Mandamus, the respondents no. 2 to 6 may kindly be directed to take immediate action on representations dated 21/02/2022, 26/09/2022 and 01/11/2022 submitted by the petitioner with the respondents 2 to 6

(D) By issue of writ of Mandamus or any other appropriate writ, order or direction in the nature of Mandamus, it be declared and hold that the petitioner is entitled to get the possession of 84 R land at Gut No.208 situated at village Mouje Takli Bk., Tq.

(2)

Kannad, Dist. Aurangabad and to incorporate her name in 7/12 extract.

(E) By issue of writ of Mandamus or any other appropriate writ, order or direction in the nature of Mandamus, it be declared and hold that the respondent no.2 to 6 may kindly be directed to decide and to act upon the representations dated 21/02/2022, 26/09/2022 & 01/11/2022 submitted by petitioner within stipulated period.”

2. *The Deputy Superintendent of Land Records, Kannad, has already informed the District Collector, Aurangabad vide communication dated 11.12.2017 that steps for correcting the revenue records have to be initiated. 71 pages record is transmitted to the District Collector. By a communication dated 28.02.2022, the Talathi Sajja, Adgaon (P.) has informed the Tahsildar, Kannad about a discrepancy in the size of the lands.*

3. *Despite the above, the Petitioner has not been granted the benefit of the judgment and decree in R.C.S. No.227/2013.*

4. *Issue notice to the Respondents, returnable on 22.08.2023.*

5. *The learned AGP waives service of notice on behalf of all the Respondents.*

6. *If we find that any of the respondents are guilty of delay in discharge of duties, we would refer to Section 10 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 and pass an order.*

(3)

7. *Since a short issue is involved, list this petition in the 'passing orders' category on 22.08.2023."*

2. The learned A.G.P. submits on instructions that, the grievance of the Petitioner has fully redressed. The learned Advocate for the Petitioner confirms the said statement, on instructions.

3. Insofar as the delay caused in redressing the grievance of the Petitioner, the learned A.G.P. submits that, as there was Covid-19 pandemic, the Revenue Department was handicapped. However, the possession of the entire 63 R land was delivered to the Petitioner on 27/01/2021. The correction in the 7/12 extract was the only issue that remained to be dealt with. He submits that, the Tahsildar would henceforth ensure no delay insofar as redressing the grievance of such litigants is concerned.

4. In view of the above, we render a quietus to this issue.

5. **This petition is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk