

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2457 OF 2023

Arun Nana Gavte & Anr.

....Petitioners

V/S

The State of Maharashtra & Ors.

....Respondents

...

Mr. Sandesh Patil i/b Mr. Chintan Y. Shah for the Petitioners.

Mr. R.P. Kadam, AGP for Respondent Nos.1 and 2-State.

Mr. Harshad Sathe and Mr. Saurabh Butala, Mr. Mihir Jayker for Respondent Nos.3 and 4.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 26 APRIL 2023.

P.C.:

1 The Petitioner is assailing the notice dated 30 January 2023 issued to the Petitioner and others. Under the said notice the Petitioner is directed to submit the documents.

2 It is contended by the learned Counsel for the Respondents that the dispute is regard to Gut Nos.31 and 95. About eight Gut numbers are mentioned in the notice. Under the notice what is sought by the SDO is the documents from the Petitioner and other parties. The Petitioner ought to have submitted the relevant documents before the Authority

and thereafter the Authority was to consider whether any dispute remains with the properties in question. In fact the Petition is premature.

3 The Petitioner and the other persons named in the notice may place on record the documents on which they rely. The SDO shall consider the documents placed by the parties as per the said notice and may take a decision in accordance with the provisions. Naturally if no objections are raised with regard to particular lands then there will be no impediment for the Authorities to take decision in regard to the payment of the amount with regard to the said lands.

4 With the aforesaid observations, the Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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signed by
SUDARSHAN
RAJALINGAM
KATKAM
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