

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3799 OF 2022

Rutuparna Dhananjay Dole

..... Petitioner

VERSUS

**The Additional Chief Secretary,
Revenue and Forest Department,
Govt. of Maharashtra & Ors.**

..... Respondents

Mr. Ramesh Soni, a/w. Ms.Meenal Chandani, i/b. Jaiwant S.Chandani
Associates for the Petitioner.

Ms.K.N.Solunke, A.G.P. for the State.

Mr.Niket Jani, i/b. Vigil Juris for the Respondent no.8.

**CORAM: R. D. DHANUKA AND
M.M. SATHAYE, JJ.
DATE : 5TH JANUARY, 2023**

P.C:-

Mr. Soni, learned counsel for the petitioner invited our attention to the representations made by the original owner Jayshree Dattatray Dole & Ors. vs. Special Deputy Collector & Ors. styled as revision application annexed at Ex.1 to the additional affidavit dated 28th November, 2022 filed by the petitioner and states that at this stage, his client seeks an order and direction against the respondent no.1 to decide the representation annexed at Ex.1 to the additional affidavit on

its own merits.

2. Ms.Solunke, learned A.G.P. for the State states that the respondent no.1 may be directed to decide the said representations, if this Court deems fit. Statement is accepted.

3. Learned counsel for the respondent no.8 states that his client has no objection if the representations made by his client and few others annexed at Ex.1 to the additional affidavit filed by the petitioner is decided by the Deputy Collector, Revenue and Forest on its own merits. Statement is accepted.

4. The Deputy Collector for Revenue and Forest is accordingly directed to decide such representations within a period of eight weeks from today, on its own merits, after granting personal hearing to the applicants to the said representation and also to the petitioner. 72 hours clear notice shall be given to the parties for granting personal hearing by the Deputy Collector, Revenue and Forest. An appropriate order that would be passed within eight weeks from the date of granting personal hearing to the petitioner as well as the applicants to the

representations shall be communicated within a period of one week from the date of passing of such order.

5. In case, the said representation is decided in favour of the applicant, the consequential relief sought in the said representation that would be permitted in law shall be granted within eight weeks thereafter. If said representation is rejected, the applicant to the said representation as well as the petitioner would be at liberty to challenge the said order by filing appropriate proceedings permissible in law.

6. Writ petition is disposed of in the aforesaid terms. No order as to costs. The parties to act on the authenticated copy of this order.

[M. M. SATHAYE, J.]

[R. D. DHANUKA, J.]