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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 25 OF 2023
IN
WRIT PETITION NO. 3544 OF 2020**

Swapnil Subhash Tangade	}	
the Competent Authority and	}	
Sub Divisional Officer, Vasai	}	Petitioner
versus		
Netra Naresh Pardhi & Ors.	}	Respondents

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**WITH
REVIEW PETITION NO. 26 OF 2023
IN
WRIT PETITION NO. 3545 OF 2020**

Swapnil Subhash Tangade	}	
the Competent Authority and	}	
Sub Divisional Officer, Vasai	}	Petitioner
versus		
Diksha Dilip Pawar & Ors.	}	Respondents

Dr. Uday Warunjikar with Ms. Amita Kamble,
Mr. Ajay Pai i/b. Ms. Kshitija Wadatkhar &
Associates for the petitioner.

Mr. Anil D'souza with Mr. Yogesh Rawool,
Mr. Dhaval Gangar, Mr. Valentine
Mascaronhas, Mr. Ernest Tuscano, Ms.
Pravada Raut, Mr. Himalaya Chaudhari, Mr.
Meghdeep Oak i/b. Mr. Shailesh Redkar for
respondents 1 and 2.

Mr. A. I. Patel, Additional Government
Pleader with Mr. M. M. Pabale, AGP for State.

**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.
DATE: APRIL 12, 2023**

P.C.:

1. We have heard Dr. Warunjikar, learned advocate for the
petitioner.

2. The review petitioner seeks review of the order passed by this Court dated 13th April 2022 in Writ Petition No. 3545 of 2020 and connected writ petitions.

3. Dr. Warunjikar submits that the State has communicated the petitioner that the Government Resolution dated 11th January 2017 so also the Government Resolution dated 27th December 2018 have not been considered by the Court while passing the order under review. The State Government also communicated that steps be taken in respect of the issue under reference as the aforesaid Government Resolutions were not considered by this Court.

4. At the first place, *prima facie*, the review petitioner in-person could not have filed these review petitions.

5. It would further be relevant to note that the issue in the writ petitions was in regard to deduction of 10% amount in respect of the lands covered under sections 36 and 36A of the Maharashtra Land Revenue Code, 1966, viz. the tribal lands. The Government Resolutions dated 11th January 2017 and 27th December 2018 deal with either Mahar Vatan Inam Lands, which are normally given to Scheduled Caste persons or other vatan lands. The Government Resolutions dated 11th January 2017 and 27th December 2018 have no relevance as far as the present issue is concerned.

6. Also, the statement in the communication issued by the State Government that Government Resolution dated 11th January 2017 was not considered by this Court while passing judgment under review is completely erroneous as a reference to that Government Resolution finds place in the judgment. Also, the Government Resolution dated 11th January 2017 was considered by a Division Bench of this Court in the case of *Salubai Sahadev Kamble vs. State of Maharashtra & Ors.*, reported in 2018 (5)

Mh. L. J. 656 and the Division Bench has taken a view that the State has no authority to deduct 10% amount from the amount of compensation.

7. The Government Resolutions dated 11th January 2017 and 27th December 2018 are not relevant to the matter in issue as those Government Resolutions deal with Mahar Vatan Inam lands and the other lands; whereas, the Government Resolution of 2010, which was subject matter of challenge in the writ petitions, specifically deals with tribal lands and the lands in issue were in fact tribal lands.

8. In light of above, the review petitions are misplaced. The same are rejected.

9. No costs.

10. The order passed by this Court in the writ petitions which are subject matter of review shall be complied within 4 (four) weeks from today.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)