

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10682 OF 2018**

Mahadev Vasant Jadhav and Ors. ..Petitioners

V/s.

The State of Maharashtra and Ors. ..Respondents

Mr. Ashutosh M.Kulkarni a/w. Mr.A.R.Kulkarni for the
Petitioners.

Mr. Rajan S.Pawar AGP for the Respondent Nos. 1 to 5.

**CORAM : R.D.DHANUKA, AND
GAURI GODSE, JJ.**

DATE : 03 APRIL 2023

P.C.

The Petitioners have prayed for Writ of Mandamus against the Respondents to handover actual physical and vacant possession of the land in favour of the Respondent as per the Mutation Entry.

2. It is the case of the Petitioners that possession of the land is taken from the Petitioners in the year 1959 and since then no award is made. We have perused the Affidavit in Reply filed by Respondent No.4 and 5 admitting that possession of the land from the Petitioners have been taken in the year 1959 whereas Writ Petition is filed in the year 2018.

3. It is the common ground that the said land is already taken by the Respondents. The Petitioners have not explained the delay of 59 years. Writ Petition is accordingly dismissed on the ground of unexplained delay.

GAURI GODSE, J.

R.D.DHANUKA, J.