

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2754 of 2023

Ravindra Giridhar Kodape and others

Versus

State of Maharashtra and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri V.B. Bhise, Counsel for Petitioners.

Shri A.A. Madiwale, Assistant Government Pleader for Respondents.

CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.

DATE : APRIL 26, 2023.

1. **Rule.** Shri A.A. Madiwale, learned Assistant Government Pleader, waives service of notice for the respondents. Rule made returnable forthwith.

2. The petitioners are holding the land bearing Survey No.31/46 admeasuring 1 hectare 62 ares situated at Mouza Ballarpur, District Chandrapur. The said land is shown to be Class-II and the petitioners seek conversion of the said land into Class-I under the Maharashtra Land Revenue Code, 1966. An application seeking such conversion has been moved by the petitioners on 24-3-2021. In the meanwhile, the Municipal Council has acquired 900 square meters of that land for laying down the road. By the communication dated 21-2-2022, the Chief Officer has informed the Tahsildar that since the remaining land is shown in the residential zone of the Development Plan, the Municipal Council has no objection to convert the said land into Class-I. Since the petitioners' application dated 24-3-2021 has not been adjudicated, this writ petition has been filed.

3. On hearing the learned counsel for the parties, we find that the petitioners' application dated 24-3-2021 seeking conversion of the aforesaid land into Class-I is pending with the Tahsildar. In the light of the recommendations made by the Municipal Council, the interest of justice would be served by

directing the respondent Nos.2 and 3 to consider the petitioners' application dated 24-3-2021 and take a decision in the matter of grant of permission to convert that land into Class-I.

4. Accordingly, it is directed that the respondent Nos.2 and 3 shall consider the said application within a period of six weeks from receiving the copy of this order. The decision taken be communicated to the petitioners.

5. Rule is disposed of in above terms. No costs.

(M.W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

LANJEWAR