



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

WRIT PETITION NO.5478 OF 2023

Durga wd/o Shankar Bhondwe and ors.

-vs-

Competent Authority and Deputy Collector, Urban Land Ceiling, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. D. Borkute, Advocate for petitioners.

Shri A. M. Deshpande, I/c Government Pleader for respondent No.1.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : August 25, 2023

P. C.

1. Considering the short issue involved, the writ petition is taken up for final disposal. Learned In-charge Government Pleader waives service of notice for respondent No.1. Service on respondent No.2 is dispensed with.

2. The petitioners claim to be legal heirs of the original owner of field Survey Nos.15, 16/2 and 16/4 at Mouja Daulameti, District Nagpur. The said land was declared as surplus under the provisions of Urban Land (Ceiling and Regulation) Act 1976. It is the case of the petitioners that without complying with the provisions of Section 10(5) of the Act of 1976, said land has been allotted to the respondent No.2. Since the respondent No.2 has not implemented any scheme on the said land till date, the petitioners have moved a representation before the respondent No.1 on 01/03/2021 seeking return of the said land. The petitioners seek consideration of the aforesaid representation.

3. In the aforesaid facts, the respondent No.1 is directed to consider the petitioner's representation dated 01/03/2021 and take a decision thereon after giving opportunity of hearing to the petitioner within a period of six weeks of receiving copy of this order. The decision taken be communicated to the petitioners.

4. The Writ Petition is disposed of with aforesaid directions. No costs.
5. Authenticated copy of this order be supplied to the counsel for the parties.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)