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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3529 OF 2024

**MANISH OMPRAKASH AGRAWAL
VS.
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

Mr.R.R.Raghuwanshi, Advocate for the Petitioner.
Ms.Neha Kamble, AGP for the Respondent/State.

**(CORAM : RAVINDRA V. GHUGE AND
R.M. JOSHI, JJ.)**

DATE : APRIL 4, 2024

PER COURT :

1. This is yet another Writ Petition, which the Petitioner is compelled to file on account of the inaction on the part of the Revenue and the State Authorities.

2. The Petitioner's land bearing Gat No.106, admeasuring 3 H 62 R was classified as Class-II land. On 21.01.2007, the Divisional Commissioner, Nashik passed an order granting permission to the original owner to sell the land on certain terms to Mr.Premising Shivsing Gosavi. Pursuant to the permission, *nazarana* amount of Rs.1,37,560/- was deposited in the Government Treasury. The mutation entry bearing No.1208 was taken on 25.07.2007.

3. The Petitioner purchased the land from Premsing Gosavi on 10.08.2016 vide a Registered Sale deed and mutation entry bearing No.1700 was recorded, on 05.10.2016. In February 2019, the Petitioner decided to sell the property. The prospective buyer carried out a search and noticed that the land is Class-II property. The Talathi, inadvertently, made a mutation entry No.1205 as 'old tenure land'. The prospective purchaser asked the Petitioner to get the necessary change in the tenure of the land from Class-III to Class-II. An application was made by the Petitioner on 25.03.2019 to the District Collector. The District Collector issued a communication dated 24.08.2023 after 4 years to the Additional Secretary, G-1, Revenue and Forest Department, Manatralaya Mumbai for appropriate orders. On payment of *nazarana*, since the land was purchased without permission of the District Collector, it was necessary to send the proposal to the Under Secretary. The same is still pending.

4. In view of the above, **this Writ Petition is disposed off** with a direction to Respondent No.1 to pass an appropriate order on the communication dated 24.08.2023, within a period of 90 days. A request for extension of time will not be entertained.

(R.M.JOSHI, J.)

(RAVINDRA V. GHUGE, J.)