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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

930 WRIT PETITION NO. 5405 OF 2024

SHRIPATI GYANOBA JADHAV, DIED, THROUGH LRS KALYAN
SHRIPATI JADHAV AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

....

Mr S. V. Jadhav, Advocate for Petitioners;

Mr S. K. Tambe A.G.P. for Respondent Nos.1 to 3

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 11th June, 2024

PER COURT:

1. The Petitioners are Respondent Nos.1-B and 1-C in Writ Petition No.2679/1991. By the judgment of the learned Maharashtra Revenue Tribunal, Chhatrapati Sambhajinagar, dated 17/10/1990, both have succeeded. The Writ Petition was admitted on 22/08/1991 and the judgment of the learned Tribunal was stayed. By the judgment dated 07/03/2012, the Writ Petition was dismissed and the Petitioners once again succeeded before this Court. The learned Advocate for the Petitioners makes a

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statement that the judgment of the learned Single Judge is not challenged before the Hon'ble Supreme Court.

2. The learned Advocate for the Petitioners further submits that, filing of the Contempt Petition after 12 years of the judgment of the learned Single Judge, would not give the Petitioners the fruits of litigation. At best, the Contemnors may go to jail. The Petitioners are not interested in any Revenue Authority being sent to jail. They desire that they should get the benefits of litigation.

3. The Petitioners have preferred representations before the Tahsildar, Renapur, which are placed on record from Page No.18 on-wards in the Petitioner paper book. Copies are also delivered to the District Collector, Latur.

4. The Petitioners are now declared as protected tenants. They are still not in possession of the land.

5. In view of the above, **this Writ Petition is disposed off.** We direct that Respondent No.2/District Collector, Latur, shall consider the representations preferred by the Petitioners,

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which are placed on record from Page No.18 on-wards. The due procedure laid down in law shall be followed and the District Collector shall consider the judgment of the learned Single Judge of this Court, dated 07/03/2012 and initiate appropriate steps to ensure that the Petitioners are given the fruits of the litigation.

6. We expect the District Collector to initiate appropriate steps and conclude the proceeding within a period of six months. The learned A.G.P. submits that, if the file of the Petitioners is not traceable, the Petitioners would assist the District Collector in reconstructing the file. The Petitioners are agreeable and this statement is recorded.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk