



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

WRIT PETITION NO. 7587 OF 2024

GIRISH RAGHUNATH BHOPALE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

....

Mr. H. V. Patil, Advocate for the Petitioner

Mr. N. S. Tekale, AGP for the Respondent – State

Mr. U. B. Bondar, Advocate for the Zilla Parishad, Latur

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 25.07.2024

PER COURT :-

1. In a proceeding before the Additional Divisional Commissioner No.1, Aurangabad in ROR/REV/375/2022, a judgment is delivered on 25.04.2023. The Petitioner claims that he has succeeded and the mutation entries carried out in favour of his opponents, have been set aside and the mutation entries are made subject to the result of the pending Special Civil Suit No.64 of 2021.

2. The said direction, is in tune with the law laid down by this Court in *Shrikant R. Sankanwar and others Vs. Krishna Balu Naukudkar, 2003(3) BCR 45*.

3. Now, the grievance of the Petitioner is that since the storage water tank is constructed on his land, he approached the Divisional Commissioner. The Assistant Commissioner (Development), Dr. Seema Jagtap, transmitted the proceedings vide communication dated 28.03.2024, to the Chief Executive Officer, Zilla Parishad, Latur for adjudication. According to him, things have not moved forward, thereafter.

4. We are informed that the Zilla Parishad, Latur has a panel of lawyers. We requested Shri Bondar the learned Advocate to assist the Court. He stated that he cannot appear since there is a panel and the matter will have to be allotted to some lawyer. As a short issue is involved, on our request, he has appeared in the matter.

5. In view of the above, **this Writ Petition is disposed off** with a direction to the Chief Executive Officer, Zilla Parishad, Latur, to look into the grievance of the Petitioner and if the land of the

Petitioner is utilized for a public project, communicate such conclusion to the Petitioner, who would be at liberty thereafter, to initiate proceedings for compensation. Let such decision be arrived at within a period of 60 days, by calling upon all the stakeholders to address the Chief Executive Officer.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS