



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

933 CIVIL REVISION APPLICATION NO. 252 OF 2015

1. Gram Panchayat Village Manjari,
Tq. Rahuri, Dist. Ahmednagar,
Through its Sarpanch **... APPLICANT**

VERSUS

1. Muslim Kabhrastan, Manjari
2. The Chief Executive Officer **... RESPONDENTS**

...

Mr. V.B. Jagtap – Advocate for Applicant

Mr. Y.B. Pathan – Advocate for Respondents

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 21st March, 2024

PER COURT :

1. Heard rival submissions.
2. The dispute is pertaining to the land admeasuring 30R out of Gut No.2 totally admeasuring 01H 52R land at village Manjari Tq. Rahuri, Dist. Ahmednagar. The disputed land appears to be own by the Government and it was handed over to the present petitioner i.e. Gram Panchayat, Manjari, Tq. Rahuri, Dist. Ahmednagar for management. However, the

respondent No.2 vide order dated 13th September, 2011 asked respondent No.1 to carry out the measurement of the said area and to enter the name of respondent No.1 in the record of rights of the said land.

3. This order was challenged by the present petitioner before the learned Wakf Tribunal by making Wakf Application No.78 of 2012. However, the said application was dismissed and therefore the petitioner is before this Court.

4. During the pendency of this petition the petitioner – Gram Panchayat had given proposal to the respondent No.1 to accept 12 R land out of the aforesaid 30 R land as per the resolution passed by the Gram Panchayat. Thereafter this Court vide order dated 6th June, 2016 had requested the learned Counsel for respondent No.1 as to whether the resolution of allotting 12 R portion to the respondent No.1 can be accepted. In the same order this Court has already granted interim relief and the area of 12 R was allowed to be used as grave yard by the respondent No.1 till disposal of this revision. Today the learned Counsel for respondent Nos.1 and 2 on

instructions made statement that, the respondent No.1 is ready to accept the proposal of petitioner – Gram Panchayat for the use of 12 R area as a grave yard.

5. In view of the same, the order passed by respondent No.2 on 13th September, 2011 is to be treated only in respect of 12 R area as per the settlement took place between the parties on 15.08.2009 in Mahatma Gandhi Tantamukti Drive and as per the Resolution No.4(6) dated 15.08.2009 passed in the meeting of the petitioner – Gram Panchayat and also as per Resolution No. 2 dated 29.11.2009 passed in the meeting of the petitioner – Gram Panchayat.

6. The Civil Revision Application is accordingly disposed of.

**[SANDIPKUMAR C. MORE]
JUDGE**