

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11094 OF 2023

Eknath Nivrutti Pawar & Ors

...Petitioners

*Versus*

The State of Maharashtra & Anr

...Respondents

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Mr. P.J. Thorat, a/w P.B. Gujar, Advocates for the Petitioners.

Mr. A.I. Patel, Addl.GP, a/w S.L. Babar, AGP, for Respondent  
Nos.1 & 2.

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CORAM : B. P. COLABAWALLA &  
SOMASEKHAR SUNDARESAN, JJ.

DATE : MARCH 04, 2024

PC :

1. Mentioned. Taken out of turn.
2. Rule. Respondents waive service. With the consent of the parties Rule made returnable forthwith and heard finally.
3. The above Writ Petition is filed seeking the following reliefs:

*“A. That this Hon’ble Court be pleased  
to call record and proceedings pertaining to  
the common notices dated 10/05/2023,  
21/06/2023, 26/07/2023 issued by the*

*Respondent No.2 Collector in respect of Gat No. 503 (old Survey No. 7, 8, 9 and 360) admeasuring 3H 51R, bearing Khata No.362 at village Vele, Taluka Wai, District Satara in Application dated 19/09/2016.*

*B. That this Hon'ble Court be pleased to issue Writ of mandamus or any other appropriate Writ or Order in the like nature directing to Respondent No.2 to decide the Applications dated 19/09/2016 and 05/09/2018 filed by the Petitioners pertaining to the Gat No. 503 (old Survey No. 7, 8, 9 and 360) admeasuring 3H 51R, bearing Khata No.362 at village Vele, Taluka Wai, District Satara independently and seperately and before deciding any subsequently filed application for allotment of the said land."*

4. Mr. Thorat, the learned Counsel appearing on behalf of the Petitioners stated that he is not pressing prayer clause (A) of the above Petition and would be satisfied if prayer clause (B) is granted. He submitted that in fact it is an admitted fact that these Applications have not yet been decided and this is admitted by the State in paragraph 3(viii) of the affidavit in reply dated 12<sup>th</sup> October, 2023.

5. The learned AGP, on instructions, has made a further statement that a hearing to the Petitioners is already fixed by the District Collector, Satara on 6<sup>th</sup> March, 2024.

6. Once this is the factual situation before us, we dispose of the above Writ Petition by directing Respondent No.2 (the District Collector, Satara) to dispose of the Applications filed by the Petitioners dated 19<sup>th</sup> September, 2016 and 5<sup>th</sup> September, 2018 within a period of three months from today. As scheduled, the District Collector, Satara, shall give hearing to the Petitioners on 6<sup>th</sup> March, 2024. If any further hearing needs to be given, that shall be decided by the District Collector.

7. The Rule is made absolute in the aforesaid terms and the Writ Petition is also disposed of in the terms thereof. However, there shall be no order as to costs.

8. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[ SOMASEKHAR SUNDARESAN, J.]**

**[ B. P. COLABAWALLA, J.]**