

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.180 OF 2024

ANJALI
TUSHAR
ASWALE

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Date: 2024.04.23
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Pramod V. Yadav

..Petitioner

Versus

State of Maharashtra & Anr

..Respondents

Mr. Suhas Deokar, Advocates for the Petitioner.

***Mr.A. I. Patel, Add. G.P., with Ms.M. S. Bane, AGP, for
the Respondent/State.***

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : APRIL 22, 2024

P.C.

The above Writ Petition is filed seeking the following
reliefs:-

(a) That by Writ of mandamus and or by appropriate Writ, Direction and Order of similar nature, Your Lordships be pleased to direct Respondent No.2 to conduct and complete the inquiry under section 20 (2) of the Maharashtra land revenue code 1966 as per the order passed by the district superintendent of land records in appeal SR No.2972 of 2018 and to record the petitioner name on property card CTS No.740 (open land) by deleting names of encroacher/Defendants, as per courts order dt.10/04/1989 passed by civil court, Jr.Div.Vadaj and confirmed by Appellate court vide order dt.18/07/1994.

(b) Your Lordship be pleased to direct Respondent No.2 to give compensation Rupees two lacs to the

Petitioner as his employees listed encroacher/Defendants name on property card CTS No.740 without hearing to the petitioner in year 1988 and committed fraud, cheating and offence u/s. 167 of IPC with petitioner.

(c) Your Lordship be pleased to direct Respondent No.1 to initiated departmental enquiring against Mr.Chavan who has not placed the matter before Deputy Superintendent of land record office Vaduj since 23/03/2020”.

2 The learned counsel appearing on behalf of the Petitioner fairly submitted that at present he is not pressing any reliefs in terms of prayer clauses (a) and (b) of the above Writ Petition. The only relief sought is to direct Respondent No.2 to conduct and complete the enquiry under Section 20 (2) of the Maharashtra Land Revenue Code, 1966 (“**MLRC**”) as per the order passed by the District Superintendent of Land Records in Appeal S.R No.2972 of 2018.

3 Considering this is the limited relief pressed for in the above Writ Petition, we dispose of the Writ Petition by directing Respondent No.2 to hold and complete the enquiry as contemplated under Section 20 (2) of the MLRC as expeditiously as possible and in any event within a period of three months from today.

4 The Writ Petition is accordingly disposed of. No order as to costs.

5 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.]