

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10895 OF 2024

Vinod Gunda Kamble,]
R/of Chandur, Tal. Hatkanangale,]
Dist. Kolhapur] .. Petitioner

Versus

1. State of Maharashtra,]
Through Department of Revenue & Forest]
2. District Collector, Kolhapur]
3. Tahsildar, Tal. Hatkanangale, Dist. Kolhapur] .. Respondents

Mr. Manoj A. Patil with Mr. Shubham Dhange, Advocates for the Petitioner.
Mr. Kushal Amin, “B” Panel Counsel for the Respondents.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 8TH AUGUST, 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. Rule. Rule made returnable forthwith. The learned Assistant Government Pleader waives notice for the respondents.

2. In the present writ petition, the petitioner seeks to challenge the order dated 20th February 2024 passed by the Tahsildar under the provisions of Section 48(7) of the Maharashtra Land Revenue Code, 1966. It is the grievance of the petitioner that in similar circumstances, the Tahsildar vide an earlier order dated 31st October 2023 bifurcated the demand, as made. This aspect has been ignored in the impugned order. By making a representation / application dated 18th June 2024, the petitioner seeks review of the order dated 20th February 2024.

3. Another prayer made by the petitioner is for consideration of the applications dated 29th April 2024 and 31st May 2024 whereby the petitioner seeks temporary excavation permission for excavating a minor mineral.

4. Insofar as challenge to the order dated 20th February 2024 is concerned, we find that there is a statutory remedy available to the petitioner for challenging the same. However, since the petitioner has made a request for review of that order by his application dated 18th June 2024, the Tahsildar is directed to consider that application in accordance with law and take a decision thereon within a period of four weeks of receiving copy of this order. The Tahsildar to grant an opportunity of hearing to the petitioner while considering his application dated 18th June 2024. In case the petitioner is aggrieved by the outcome of such exercise, he is free to avail the statutory remedy in that regard.

5. Insofar as the petitioner's applications dated 29th April 2024 and 31st May 2024 are concerned, the respondent no.3-Tahsildar shall consider the same in accordance with law and take a decision within a period of four weeks of receiving copy of this order.

6. With aforesaid directions, Rule is disposed of. No costs.

7. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]