



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 14120 OF 2024

Sarjerao Devappa Khavare

...Petitioner

vs.

The State of Maharashtra Through
Collector, Kolhapur And Ors.

...Respondents

Adv Sandeep Koregave	Advocate for the Petitioner
Adv. Priyanka B. Chavan	AGP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 18th NOVEMBER 2024

P.C. :-

1. Though the copy of the petition is e-mailed to the office of the Government Pleader, hard copies are not given. Learned AGP is seeking adjournment.

2. According to learned Advocate for the Petitioner, in view of the judgment of the Hon'ble Supreme Court in case of **Ravinder Kaur Grewal and Others Vs. Manjit Kaur and Others**¹ now on the basis of the adverse possession, ownership can also be claimed and declaration

1 (2019) 8 SCC 729

can be sought. The copy of the judgment is tendered on record. Let this copy be given to the other side.

3. It is contended that in similar suits prayers for amendment of the plaint are allowed but in present suit on similar set of facts, amendment prayer is rejected. They were passed by different Judge. Let this copy be also given to learned AGP.

4. Learned AGP may take instructions about this matter and passing of order in connected matters and verify whether facts are similar. Now the suit is fixed for recording of the Plaintiffs evidence. The Petitioner-Plaintiff is at liberty to seek adjournment. Trial Court to consider it positively.

5. Learned Advocate for the Petitioner is at liberty to seek circulation of the connected petitions i.e. Writ Petition Nos. 14904 of 2024, 14124 of 2024, 16705 of 2024 and Writ Petition No. 16970 of 2024 and seek listing of those petitions alongwith this petition. Petitioners to remove office objections.

6. All matters be kept on **09th December 2024**, first on board.

[S. M. MODAK, J.]