

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2650 OF 2023

Shri Suresh Wasudeorao Patil

Vs.

Collector, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.A. Radke, Advocate for the petitioner
Ms Prachi Joshi, AGP for respondent Nos. 1 to 3
Shri Nachiket Moharir, Advocate for respondent No.4

CORAM : AVINASH G. GHAROTE AND
SMT M.S. JAWALKAR, JJ.

DATE : 15.01.2024

Heard Mr. Radke, learned Counsel for the petitioner. It is contended that while passing the award dated 06/04/1987, an incorrect area of 1.83.02 H.R. of Mouza Nanda, has been mentioned, as against which the actual area was 5.57 H.R. The petition, therefore, seeks a relief of directing the Authorities to correct the area and to correct the award too. Another prayer, is for deciding Appeal No. 130/RTS-64/2021-22.

2. Appeal No. 130/RTS-64/2021-22, has already been decided by order dated 14/07/2023, rejecting the same (pg 160).

3. In so far as, the reliefs claimed in prayer Clause 1 and 2 are concerned, nothing has been produced on record to indicate that the land of old Survey No. 82 (New Nos. 114/2, 115/1 and 115/2), was anything more than 1.83.02 H.R., which is now been

claimed to be 5.57 H.R. Even otherwise, that is a plea which can be raised by the petitioner before the appropriate Authorities. We are, however, doubtful as to whether such a plea would be maintainable, considering that the award in this case was passed on 06/04/1987. We, therefore, do not see any reason to entertain this petition, the same is therefore dismissed leaving the petitioner to raise this grievance in proceedings otherwise, in case they are tenable in law.

JUDGE

JUDGE

Jayashree..