



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

Writ Petition No.1681/2024
(Gendlal and others V State of Maharashtra and another)

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

Court's or Judge's orders

Mrs. K.V. Dixit (Shukla), Advocate for petitioners.
Mr. D. Thakre, Addl.GP for respondent no.1.

CORAM : Nitin W. Sambre & Abhay J. Mantri, JJ
DATE : 18-04-2024.

Heard.

2. The contention is that the petitioners are the owners of the plots in land Survey Nos.671 and 672 and the Collector without conducting any enquiry and after offering an opportunity of hearing has declared that the layout in which the petitioners have purchased the plots is illegal.

3. As against above, learned Additional Government Pleader has submitted that, vide impugned communication dated 21-10-2020, the Collector has simply submitted a report.

4. We have considered the submissions.

5. Leaving apart delay in pursuing the communication dated 21-10-2020, the fact remains that the Collector has submitted his views to the State Government in the matter of enquiry being conducted in regard to the regularization of the

plots under the Maharashtra Gunthewari Development (Regularization and Control) Act, 2001, in spite of there being adverse revenue entry. Based on the report of the Collector and the Sub-Divisional Officer (Revenue), it is always open for the State Government to pass an order.

6. If such order is adverse to the interest of the petitioners, it is always open for the petitioners to question the same.

7. Keeping such option open to the petitioners, we do not see any illegality so as to cause indulgence in extraordinary jurisdiction. The petition, as such, is disposed of with liberty as observed hereinabove.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)