



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

40 WRIT PETITION NO. 3613 OF 2025

AHEMAD IBRAHIM SHAIKH AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA THROUGH
THE CHIEF SECRETARY AND OTHERS

...
Advocate for the petitioners : Ms. Satyavati S. Renge
AGP for the respondent – State : Ms. V.N. Patil-Jadhav
...

CORAM : **MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.**

DATE : **24 MARCH 2025**

PER COURT :

Heard.

2. The petitioners seem to be aggrieved by the fact that after lapse of many decades, at the instance of the contesting respondents, an exercise is being undertaken to modify the claim finalized under the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (**Consolidation Act**).

3. After hearing learned advocate for the petitioners, it transpires that the petitioners seem to be actually aggrieved by the communication dated 10.12.2024 whereby the Deputy Superintendent of Land Records, Taluka – Bhoom, District – Dharashiv objecting to his conduct in opposing the measurement to be carried out. It appears

that pursuant to some communication by the petitioners pointing out that the parties were before the civil court that this was the communication in response to that.

4. Be that as it may, when the petitioners have been arrayed as respondents in the application preferred by the contesting respondents before the Deputy Director of Land Records, Aurangabad, whereby they have sought modification of the scheme finalized under the Consolidation Act, it would be appropriate that the petitioners herein appear before that authority and oppose the application on all counts.

5. Learned advocate for the petitioners submits that the petitioners have never been served with any notice of that proceeding.

6. So be it, now that the petitioners are aware that an attempt is made to modify the scheme after so many years, we do not see any reason why independently this petition be entertained, rather it would be apposite to direct the petitioners to appear before the authority and participate in the inquiry.

7. With that liberty, the petition is disposed of.

[Y. G. KHOBRADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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