

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1244 OF 2019

Ravi Anand Sonawane &Ors ...Petitioners

Versus

The State of Maharashtra
thr. GP High Court & Ors ...Respondents

WITH
INTERIM APPLICATION NO. 3436 OF 2023
IN
WRIT PETITION NO. 1244 OF 2019

Nivrutti Keshav Sonawane ...Applicant

In the matter between

Ravi Anand Sonawane &Ors ...Petitioners

Versus

The State of Maharashtra
thr. GP High Court & Ors ...Respondents

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Mr P B Shah, with Mr Sandeep Patade, i/b, Mr Kayval P Shah,
for the Petitioners.

Ms MS Bane, AGP, for the Respondent-State.

CORAM M.S. Sonak &
 Jitendra Jain, JJ.
DATED: 17 January 2025

PC:-

1. Heard learned Counsel for the parties.

2. The learned Counsel for the Petitioners contends that the Petitioners' land was earlier acquire but later on the same was restored to the Petitioners in year 1979.

3. The learned Counsel for the Petitioners submits that since the entries in the revenue records were not corrected, the Petitioners land has been allotted to some project affected persons i.e., the legal representatives of Respondent No. 7.

4. The Petitioners now seek an order that the acquisition has lapsed. At least prima facie, this is contradictory. On one hand, the Petitioners state that the acquired land was already to the Petitioners. On the other hand, the Petitioners seek a declaration about lapsing.

5. The Petitioners then seek relief concerning deletion of entries in the revenue records and for inclusion of the Petitioners names in the revenue records. The Petition is filed after considerable delay and there is no proper explanation for this delay.

6. In any event, if the Petitioners seek any mutations, deletions and additions in the survey records, the Petitioners will have to apply under the provisions of the Land Revenue Code and not file a Writ Petition.

7. Accordingly, we decline to entertain this Petition but grant the Petitioners liberty to avail of the alternate legal remedies that would be available to the Petitioners. On merits, we express no opinion. If the alternate remedy is availed of, then, the appropriate authorities must consider Petitioners' pleas in accordance with law and on their own merits.

8. With the above liberty, we dispose of this Petition, without any order for cost. All concerned to act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)