

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14249 OF 2022

UDAY
SHIVAJI
JAGTAP

Digitally
signed by
UDAY
SHIVAJI
JAGTAP
Date:
2025.12.09
20:07:26
+0530

Sajit Mahadev Kshirsagar

... Petitioner

Versus

The Collector and Deputy Director Rehabilitation
Land, Solapur & Anr.

... Respondents

None for the Petitioner.

Mr. S.B. Kalel, AGP for the Respondent - State.

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : December 08, 2025.

P. C. :

1. None for the petitioner.
2. The petitioner has prayed for directions to the respondents to delete the name of the respondent No.1 from the 7x12 extract of Gat No.190 situate at Mungshi (Waluj), Tal. Barshi, Dist. Solapur belonging to the petitioner and his family members.
3. The brief facts of the case are that an area of 1 Hectares and 21 Ares was sought to be acquired from the Gat No. 190 belonging to the

petitioner and his family members for the purposes of Rehabilitation of Project Affected Persons. On 20th December 1997, the petitioner filed Civil Suit bearing Regular Civil Suit No. 1992 of 1997 for declaration that they are the owners and for setting aside acquisition. The suit filed by the petitioner was decreed on 20th February 2002 thereby holding that acquisition is illegal and that ownership did not pass to the State. The petitioner and his predecessor-in-title have made repeated applications from 2007 to 2014 to delete the name of the respondent No.1 over the land belonging to the petitioner. Despite repeated applications and despite the decree was passed in favour of the predecessor-in-title of the petitioner, the respondent No.1 has not passed any order deleting its name. Hence, this petition.

4. We have heard learned AGP, who opposed the petition.

5. In our opinion, if there is no legal impediment, the decree passed by the trial Court has to be complied with by the Respondent No.1. It appears that from the record that there is nothing to indicate that an appeal has been preferred against the order passed by the trial court. In response to a query under the Right to Information Act, at page 25A, it is mentioned that the respondent No.1 has not preferred any Appeal against the such decision.

6. In such view of the matter, as there is no legal impediment in complying with the decree of the trial Court, the respondent No.1 is directed to take appropriate steps for deletion of its name, as prayed for in this petition. The respondent No.1 – The Collector and Deputy Director, Rehabilitation Land, Solapur to take appropriate steps within a period of 4 weeks from the date of communication of this order.
7. Learned AGP to communicate this order to the respondent No.1.
8. The Writ Petition is disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik]