



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.121 OF 2009**

Vasant Namdev Bichukle

...Petitioner

V/s.

The State of Maharashtra and Ors.

...Respondents

None for the Petitioner.

Ms. G.R. Raghuwanshi, AGP for Respondent Nos.1 and 2-State.

**CORAM : ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATED : 6 AUGUST 2025.

P.C.:

1) Petition is filed in public interest seeking recall of order dated 14 October 1986 and cancellation of Agreement dated 13 January 2000 entered into between Respondent Nos.3 and 4. Petitioner also prays for recovery of penal charges / *mesne* profit from Respondent No.3 w.e.f. 13 January 2000.

2) It is contended in the Petition that concerned land was granted by the Collector to Respondent No.3 free of occupancy charges on terms and conditions stipulated in the order dated 14 October 1986. That one of the conditions for

allotment of land was that the same would be utilised for construction of a building only for agricultural research center and that the same shall not be used for any other purpose. It is alleged that Respondent No.3 in breach of the said condition executed Agreement dated 13 January 2000 with Respondent No.4 with the object of earning profit. This is how order of allotment dated 14 October 1986 is sought to be recalled with further prayer for cancellation of Agreement dated 13 January 2000.

3) None appears for the Petitioner when the Petition is called out for final hearing. We have heard the learned AGP for Respondent -State and perused the records.

4) An affidavit-in-reply has been filed on behalf of Respondent No.3, in which it is denied that breach of any condition of order dated 14 October 1986 is committed. The affidavit states that the land is being used for the purpose of running a Government School. It is further pointed out that the land in question is being used for agricultural research and Respondent No.4-Government School is carrying out educational activity in the land.

5) Affidavit filed on behalf of Respondent No.3 thus, indicates that the land is not put to commercial use and what is being operated by Respondent No.4 is merely a Government School. Petitioner has not filed any rejoinder contesting the claim

raised by Respondent No.3 in affidavit-in-reply. We therefore do not find any valid reason to direct recall of order dated 14 October 1986 or cancellation of Agreement dated 13 January 2000.

6) PIL Petition is devoid of merits and it is accordingly **dismissed.**

[SANDEEP V. MARNE, J.]

[CHIEF JUSTICE]