

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

WRIT PETITION NO. 14042 OF 2024

Dagadabai Narayan Khaire & Ors. ...Petitioners
VERSUS
The State of Maharashtra
Through The Revenue And Forest & Ors. ...Respondentss

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Mr. Ranjit D. Shinde a/w Mr. Vikas Patil, Advocate for the Petitioners.

Mr. A. I. Patel, Addl. G.P. a/w Mr. V. G. Badgujar, AGP for the
Respondent – State.

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**CORAM : M. S. KARNIK &
N. R. BORKAR, JJ.**
DATE : 12th JUNE, 2025

P.C.:

1. Heard the learned counsel for the Petitioners.
2. The challenge in this Petition is to the order dated 13.10.2023 by which the application for re-grant of the property which is the subject matter of the Petition was rejected on the ground that the necessary payment was not made within 12 years. Since the order is passed even without hearing the Petitioners, on this ground alone, in the facts and circumstances of the present case, the same is set aside.
3. Consequently, the application dated 09.03.2023 shall be heard and decided afresh by the Collector Pune on its own merits and in accordance with Law.

4. Our attention is now invited to the amendment of the Maharashtra Land Revenue Code, 1966, whereby the period of 12 years has been done away with. These are the contentions which the Petitioners may raise before the Collector, Pune when the application dated 09.03.2023 is heard.

5. The Collector Pune to hear the application dated 09.03.2023 as also other contentions which may be raised on the merits of the case in accordance with the law. We have not made any observations on the merits of the case.

6. The Petitioners to appear before the Collector Pune on 23.06.2025 at 11.00 a.m. along with the copy of this order. The application be decided by the Collector Pune within a period of twelve weeks from 23.06.2025 in accordance with law.

7. Petition is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)