

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17272 OF 2024

Galina Consultancy Services Pvt Ltd. & Ors.

... Petitioners

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. A. A. Kumbhakoni, Senior Advocate a/w. Mr. Pramod Patil, Mr. Shyamsundar Solanke and Ms. Sufiya Siddiqui i/b PNP & Associates for the Petitioners.

Mrs. Ashwini A. Purav, AGP for Respondent Nos.1, 3 to 5.

CORAM : **M. S. KARNIK AND**
N. R. BORKAR, JJ.

DATED : **28th JULY, 2025.**

P.C. :

1. Our attention is invited to the order dated 24.04.2025 passed by this Court. This Court directed respondent No.3-Collector, Pune to reconsider the application dated 23.07.2021 that was made by petitioner No.1 afresh in accordance with law. This Court observed that while doing so it is open for the Collector to consider whether the lands in question form part of “soil grant” or “revenue grant”.

2. Learned Senior Advocate for the petitioners has placed on record a copy of communication dated 03.06.2025 addressed by respondent No.3-Collector, Pune to Desk Officer of Revenue and Forest Department, Mantralaya, Mumbai indicating in detail the predicament that is faced by the Collector in the light of the available records. The Collector has

Note – This order is corrected as per Speaking to the Minutes of order dated 04.08.2025.

Amk

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sought appropriate orders/guidance from the Revenue and Forest Department. In this view of the matter, learned AGP seeks some time to take appropriate instructions from the Secretary, Revenue and Forest Department on the further progress as regards the communication dated 03.06.2025 made by the Collector, Pune. An additional affidavit be placed on record as to steps that have been taken and the decision thereon, if any, as regards the communication dated 03.06.2025 addressed by the Collector to the Desk Officer of Revenue and Forest Department. The affidavit be filed within a period of three weeks from today. List for compliance on 2nd September 2025.

3. In the meantime, learned counsel for the petitioners submits that without prejudice to the orders/guidance that is being obtained, the petitioners are ready to pay the higher value of the Nazarana. whether revenue grant or soil grant.

4. In this view of the matter, it is open for the petitioner to approach the Collector, Pune with a request that the petitioners are willing to deposit the higher value of the Nazarana. In the light of the statement made by the Petitioners, the respondent No.3-Collector, Pune to process the application for grant of Non-agricultural use permission on the payment of the nazrana amount as may be determined by the respondent No.3-Collector, Pune. The amount paid is subject to the outcome of the decision of the State Government. Liberty to challenge the decision of the

State Government/Collector if the same is adverse to the interest of the petitioners.

5. Keeping all contentions open, the petition is disposed off.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)