

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 19216 OF 2024

Madha Bar Association

...Petitioner

Versus

The State Of Maharashtra Thr Chief
Secretary And Ors

...Respondents

Mr. Mahadeo A. Choudhari a/w Ranveer Choudhari, for the Petitioner.
Mr. Y.D. Patil, AGP for State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 05 MARCH 2025

P.C.:

1. We require the Collector, Solapur to clarify by instructions in writing to the learned AGP before the adjourned date of hearing, as to whether, the Collector would considers the Judgment of this Court in Public Interest Litigation No. 88 of 2021 **The Barshi Bar Association v.s The State of Maharashtra and Ors** (Annexure-A) to the petition to be applicable only in respect of the Barshi Bar Association, Dist. Solapur and not the petitioner Mhada Bar Association, District Solapur. This more particularly as the Court in such decision held that the Circular dated 16 November 2016, issued by the Collector cum District Registrar, Solapur be read in a manner, that the compromise decree of the Court and/or the Lok Adalat in respect of the agriculture land i.e., subject matter of the suit,

is not compulsorily registerable and would not attract stamp duty on the market value of the property but in accordance with proviso (b) and (c) of Section 46 of the Maharashtra Stamp Act, 1958.

2. The instruction as may be received by the learned AGP be placed on record, so that we can pass further appropriate orders including to consider the contention of the petitioner that the Collector is not honoring the orders passed by this Court.

3. The parties to act on authenticated copy of this order.

4. Stand over to **6 March 2025**.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]