



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7679 OF 2025

Mahendrasingh Digvijaysingh Mukane & Ors. ... Petitioners

Vs.

The State of Maharashtra, through Collector,
Tenancy Division & Anr. ... Respondents

Mr. Shreyas P. Barsawade for the petitioners.
Ms. Aakansha Saxena 'B' Panel Counsel for the State.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATED: 17 SEPTEMBER, 2025

P.C.

1. This Writ Petition was filed on 28 April, 2025 praying for the following substantive reliefs:

"a) Rule nisi may kindly be issued.

b) This Hon'ble Court may kindly be pleased to issue a writ in the nature of Mandamus, Certiorari or any other writ as this Hon'ble Court may kindly deem fit and appropriate to meet the ends of justice and this Hon'ble Court may kindly be pleased to direct the respondent herein, i.e., the Id. Collector, Tenancy Division, Palghar, District Palghar to consider the Application preferred by the petitioners before him under section 36(2) of the Maharashtra Land Revenue Code, 1966 expeditiously as the Id. Collector, is reluctant to grant sanction for executing sale of the land owned as well as possessed by the petitioners in favour of respondent no. 2 in connection with the aforesaid application thereof.

c) Since the ready reckoner rates have been revised as well as increased, the sale of the said land may kindly be permitted to be executed in accordance with previous ready reckoner for the assessment year 2024-2025, the valuation of which has already been made and the amount has already been paid by respondent no. 2."

2. Learned counsel for the petitioners submits that during the pendency of this petition, on 9 May, 2025 the Collector, Palghar has passed an order under

section 36(2) of the Maharashtra Land Revenue Code, 1966 permitting transfer of the land to a Tribal.

3. In this view of the matter, the remedy for the petitioners would be to assail the said order passed by the Collector as may be permissible in law. Hence, the adjudication of this petition is not required to be taken forward.

4. We, accordingly, dispose of the petition with liberty to the petitioners to adopt appropriate remedy to assail the order dated 9 May, 2025 passed by the District Collector. All contentions in this regard are expressly kept open.

5. Disposed of in the aforesaid terms. No costs.

(AARTI SATHE ,J.)

(G. S. KULKARNI ,J.)