

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8184 OF 2025

Pramod Vithhal Waghole and others

Petitioners

Versus

The State of Maharashtra and others

Respondents

Mr.Suyash Sule i/by Dheeraj Patil for for Petitioner.

Ms.Leena Patil, 'B' panel counsel for Respondent State.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 1st October 2025

P.C.

1. This petition is filed under Article 226 of the Constitution of India
praying for the following substantive reliefs, which read thus :

“a. This Hon’ble Court be pleased to issue a Writ of Mandamus or any other writ in the nature of Writ of Mandamus thereby directing the Respondent State Authority to decide the Application dated 28.10.2021 filed under Section 14(1) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 filed by Petitioners along with Respondent no.6 and to change the revenue record pursuant to the report dated 28.5.2019 and letter dated 25.6.2019 thereby direct that order of acquisition in respect of Gat No.154/1 admeasuring 1 Hecter 20 Ares should remain continue in revenue record and name of Petitioners should be recorded to Gat No.154/2 admeasuring 1 Hecter 20 Ares and for remaining 0 Hecter 56 Ares name of Respondent NO.4 should be recorded being Exhibit-R to this Writ Petition;

b. This Hon’ble Court be pleased to issue a Writ of Mandamus or any other writ in the nature of Writ of Mandamus thereby directing the Respondent State Authority to decide the representation dated 30.01.2025 by Petitioner no.2 being Exhibit-Z to this Writ Petition;

c. Pending hearing and final disposal of this Writ Petition, this Hon’ble Court be pleased to restrain Respondent No.1 to 5 Authority from allotting or creating third party interest in respect of suit

property i.e. Gat No.154/2 admeasuring 1 Hecter 20 Ares situated at Mouej Darumbare, Taluka Maval, District Pune;

d. Interim and Ad-interim reliefs in terms of prayer clause (c) above be granted.”

2. The Petitioners are aggrieved on account of inaction on the part of Respondent no.1 i.e. the State of Maharashtra through its Secretary, Revenue Department, Government of Maharashtra in not deciding their application filed under Section 14(1) of Maharashtra Project Affected Persons Rehabilitation Act, 1999 (‘the Act’), dated 28th October 2021 and their representation dated 30th January 2025. The Petitioners contend that by way of aforesaid application filed under Section 14(1) of the Act, the Petitioners along with Respondent no.6 seek to change the revenue record pursuant to the report dated 28th May 2019 made by Respondent no.2 to Respondent No.4 and letter dated 25th June 2019 written by Respondent no.4 to Respondent no.2 to rectify the revenue record and 7/12 extract in view of the aforesaid report dated 28th May 2019 and complete the action according to Section 14(1) of the Act. It is the Petitioners contention that their land has been acquired for the purpose of Kasarsai Project. The Petitioners contend that pursuant to the letter dated 25th June 2019 written by Respondent no.4 to Respondent no.2, the Respondent no.6 has addressed a letter to Respondent no.4 to take steps pursuant to the order passed by this Court on 22nd November 2017 whereby Respondent no.6 was granted liberty to make fresh application for recording mutation entries in 7/12 extract. Thereafter the Respondent no.4 called upon the Respondent no.2 for the purpose of spot inspection report. An application dated 28th October 2019 bearing No.2053/2019 under Section 14(1) of the Act was made by the Respondent no.6 along with

Petitioners. Writ Petition No.1934 of 2022 was filed in this Court by one of the project affected persons namely Mr.Namdeo Eknath Kokate in whose favour the land was allotted and a Special Leave Petition preferred therefrom in which the Apex Court was pleased to grant interim protection in view of the order and judgment dated 11th August 2022 passed in Writ Petition No.1934 of 2022. Post 2023 the Collector, Pune has issued a notice to several project affected persons including the Petitioners and Respondent no2 has also sent letter to State Government for suggestions and/or opinion. Various correspondence has taken place between Respondent nos.1 and 2 with the State Government and the Petitioner no.2 has once again filed an application/representation before Respondent no.1 to decide the aforesaid representation. The anxiety of the Petitioners is that such representation needs to be taken to its logical conclusion and the same therefore ought to be looked into and decided expeditiously in accordance with law.

3. In our view, having regard to the limited relief that the Petitioners seek in the petition, and although there being no written opposition/reply of the Respondents, considering the nature of the order we propose to pass, no prejudice would be caused to the Respondents. The following order would serve the ends of justice.

ORDER

(i) Respondent no.1 i.e. the State of Maharashtra through its Secretary, Revenue Department, Government of Maharashtra shall decide representation of the Petitioners dated 28th October 2021 and 30th January 2025 in accordance with

law as expeditiously as possible preferably within a period of 6 weeks from the date this order is made available to the said Respondent no.1 by the Petitioner;

- (ii) Let all the parties be heard;
- (iii) All rights and contentions of the parties are kept open;
- (iv) The writ petition is disposed of in above terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)