

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12025 OF 2025

Shrihari Manik Darekar and another

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.Sumit V.Khaire, Advocate for Petitioner.

Ms.P.J.Gavhane, AGP, for Respondents State.

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

DATE: 10th September 2025

P.C.

1. This petition under Article 226 of the Constitution of India has been filed which prays for the following substantive relief, which reads thus :

“a) That this Hon’ble Court may be pleased to issue an appropriate Writ or Order, Award and/or Direction and be pleased to direct the Respondent no.3 to decide the Re-Enquiry Application No.6/2018;
b) That this Hon’ble Court may be pleased to issue an appropriate Writ or Order, Award and/or Direction and be pleased to direct the Respondents to give effect of the Order dated 10/01/1980 passed by the learned Maharashtra Land Revenue Tribunal and record the name of the Petitioners on 7/12 extract.”

2. The Petitioners are primarily aggrieved by the inaction on the part of Tahsildar, Shirur, Taluka Shirur, District Pune i.e. Respondent no.3 in not deciding/ considering their pending re-inquiry Application No.6 of 2018 as per the order passed by Sub Divisional Officer, Pune. The Petitioners’ contention is that the aforesaid re-inquiry Application No.6 of 2018 has been pending since the year 2018 and thereafter four Tahsildars have been appointed but except for issuing

notices none of the Tahsildars have decided/considered the re-inquiry application filed by the Petitioner. In such circumstances the re-inquiry application is pending with the Tahsildar since last seven years from the date of filing. It is the Petitioner's contention that such inaction is causing grave prejudice to them. It is also the Petitioners' contention that original owners have sold the suit property on the basis of their name on 7/12 extract which is illegal and not in consonance with the order passed by Sub Divisional Officer, Pune Sub Division, Pune who has set aside the order of Circle Officer. It is the Petitioners' contention that effect to these orders needs to be given in the re-inquiry Application No.6 of 2018 filed by the Petitioners before Respondent no.3.

3. In our view, considering the limited relief the Petitioners seek in the present petition, we deem it appropriate to pass following order. There is no written opposition/reply filed by the Respondents, however, considering the nature of order we propose to pass, no prejudice will be caused to the Respondents. The following order would serve ends of justice.

ORDER

- (i) We direct Respondent no.3 i.e. the Tahsildar, Shirur, Taluka Shirur, District Pune to consider and decide pending Re-Inquiry Application No.6 of 2018 filed by the Petitioners as expeditiously as possible and preferably within a period of four weeks from the date this order is made available to Respondent no.3 by the Petitioners;
- (ii) Let all parties be heard;
- (iii) All rights and contentions of the parties are expressly kept open;

(iv) Writ Petition is disposed of in the above terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)