



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.6979 OF 2025

Mumtaz S/o. Abid Ali and another

.Vs.

The Collector, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr Harshad Puranik, Adv. a/w. Mr Tanay Sakharwade, Advocate for the petitioner(s)
Mr S. M. Ukey, Addl.GP for respondent Nos. 1 to 4/State

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.
DATED : NOVEMBER 19, 2025.

Heard learned counsel for the petitioners.

2. A prayer in this petition is regarding quashing and setting aside the communication/letter dated 05.06.2025 issued by the respondent No. 3. The communication/letter (Page 35) says that since there is no provision under Section 29A of the Maharashtra Agricultural Land (Ceiling on Holding) Act, 1961 for conversion of land from Occupant Class II to Occupant Class I, the request of the petitioners cannot be considered.

3. Learned counsel for the petitioners has invited our attention to the amended provision of Section 29A which reads as under:

"29A. Conversion of Occupancy of land granted under Section 27 -Notwithstanding anything contained in section 29, the

Collector may convert lands granted under section 27 on Class-II occupancy into Class-I occupancy,-

(i) after lapse of ten years from the date of grant of such land; and

(ii) if there is no breach of any of the conditions for grant of such land;

or if there is a breach of any of such conditions, then after regularization of such breach,

on payment of such conversion premium and after following such procedure and subject to such other terms and conditions as may be prescribed.”

4. Perusal of the aforesaid provision clearly reveals that powers are vested with the authority to convert the land. The aforesaid provision has been ignored by the respondent-authority.

5. That being so, we allow the petition and set aside the communication/letter dated 05.06.2025 issued by the Tahsildar Kalmeshwar. We further direct the concerned authority to decide the same in the light of the newly amended provision reproduce *supra*.

6. The writ petition stands **disposed of**, accordingly. No order as to costs.

[RAJNISH R. VYAS, J]

[ANIL S. KILOR, J.]