

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12263 OF 2024

Vasudeo Ananta Bhoir

.. Petitioner

Versus

The State Of Maharashtra and Ors.

.. Respondents

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- Ms. Preeti Walimbe, Advocate for Petitioner.
- Mr. A. I. Patel, Addl. GP a/w. Ms. Snehal S. Jadhav, AGP for Respondent Nos.1 to 6 and 8.
- Mr. Sanket Mungale, Advocate for Respondent No.7.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 13, 2026

P.C.:

1. Heard Ms. Walimbe, learned Advocate for Petitioner; Mr. Patel, learned Additional Government Pleader for Respondent Nos.1 to 6 and 8 and Mr. Mungale, learned Advocate for Respondent No.7.

2. Writ Petition is filed by Petitioner claiming to be a law abiding citizen of India. Initially in the year 2018, he filed Public Interest Litigation which was disposed by order dated 04.07.2019 which is appended at page No.33. In this order Division Bench of this Court simply observed that Collector of District – Thane should ensure that in view of the order dated 27.09.2010 subject lands are protected by State Government and not permitted to be encroached upon.

3. Petitioner assumed locus and jurisdiction to carry on his act of trying to protect State Government land in view of the aforesaid

observations. He has filed multiple proceedings including Contempt Petition, *inter alia*, seeking directions to the State Government to protect the subject land with which Petitioner has no nexus or connection whatsoever. The State Government is seized with the matter. Contempt Petition filed by Petitioner is comprehensively dismissed, copy of which is appended at page No.157 of the Petition. While rejecting Contempt Petition, this Court has categorically observed that if any order has been passed by Revenue Authority pertaining to cancellation of Mutation Entry of the Government, it is for the aggrieved party to file proceedings under Sections 247 and 257 of the Maharashtra Land Revenue Code, 1966.

4. Admittedly name of Petitioner is not mutated nor Petitioner is connected with the suit land. When this Petition was heard on 06.09.2024, Petitioner was directed to show his *bonafides* by depositing the sum of Rs.50,000/- which has been deposited. After going through record of case which is appended to the Petition it is seen that Petition is on the face of record not maintainable.

5. There are two prayer clauses which are prayed for Petitioner. In prayer clause (a), Petitioner seeks challenge to Divisional Commissioner's order dated 27.09.2022 in RTS proceedings with which Petitioner has no nexus whatsoever in any manner. In so far prayer clause (b) is concerned he seeks directions to the Collector once

again to restore Mutation Entry in respect of suit land with which Petitioner has no nexus whatsoever.

6. Petitioner appears to be a busy body. The State of Government is robust enough and has adequate machinery to protect its lands. The issue has already been brought to the notice of the State of Government. Affidavit-in-Reply is already filed by the State of Government and Collector has taken cognizance of the previous orders passed by the Court.

7. In that view of the matter, Writ Petition is dismissed.

8. After this order is dictated Ms. Walimbe persuades the Court to return the amount of Rs.50,000/- to the Petitioner which was deposited by the Petitioner to show his *bonafides*. At the request of Ms. Walimbe the amount is directed to be returned to him alongwith all accrued interest therein within a period of one week from today. All details shall be provided to Registry within a period of one week from today. Registry shall return the above amount to Petitioner.

9. Writ Petition is dismissed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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