

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.15847 OF 2025

Vimal Babu Lande and another ... Petitioners  
**Vs.**  
State of Maharashtra through Principal Secretary  
Revenue and Forest Department and others ... Respondents

WITH  
INTERIM APPLICATION NO.3104 OF 2026  
IN  
WRIT PETITION NO.15847 OF 2025

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Mr. Siddhartha Ronghe for Petitioners.  
Ms. Prachiti Deshpande for Applicant in IA No.3104 of 2026.  
Mr. B. V. Samant, Additional GP a/w. Ms. P. M. J. Deshpande, AGP for  
Respondents-State.  
Mr. Rohit S. for Respondent No.9.

**CORAM : MANISH PITALE &  
SHREERAM V. SHIRSAT, JJ.**  
**DATE : APRIL 29, 2026**

**P.C. :**

. On 07.03.2026, we had passed the following order:-

- “ Heard Mr. Ronghe, learned counsel for the petitioners.
2. The grievance of the petitioners appears to be in respect of a land acquisition award passed as far back as on 16.08.1982.
3. Even according to the learned counsel appearing for the petitioners, first time in the year 2012, a grievance on behalf of the petitioners was raised. Thereafter, it appears that the petitioners have been approaching the authorities and by order dated 08.09.2023, the Collector, Pune has considered the grievance of the petitioners and recorded reasons as to why the claim made on behalf of the petitioners is without any substance.

4. The crux of the grievance of the petitioners is that while land from Survey Nos.61/1 and 61/3 of Mauje - Nigadi, District - Pune was acquired, possession was taken and compensation was paid, as a matter of fact, a larger piece of land was acquired. According to the petitioners, an impression was given during the land acquisition proceedings, culminating into the award that only part of the said survey numbers was acquired, but the authorities appear to be claiming that the entire land in the said survey numbers was acquired.

5. We find a tendency on the part of citizens of this country to approach the Writ Court after decades, raking up issues pertaining to land acquisition proceedings that took place 30 to 40 years ago.

6. There is no doubt that right to property under Article 300-A of the Constitution of India has been recognized by the Supreme Court and this Court as a constitutional right and also a facet of human right. However, we find that on some occasions litigants are knocking the doors of the Writ Court after decades to rake up issues that they should have raised immediately after the acquisition proceedings culminated into the award. In this case also, the petitioners or their predecessors collected the compensation in pursuance of the award dated 16.08.1982 and handed over possession of the acquired land. Yet, the first occasion when they raised their grievance was in the year 2012, which was at least 30 years after the land acquisition award was passed.

7. We find that in the order dated 08.09.2023, the Collector has considered the material and passed a reasoned order. It is only because the petitioners claim that the part of their land has been acquired without compensation that we are inclined to examine the issues sought to be raised by the petitioners.

8. But it is made clear that if the material placed on record by the respondents demonstrates that there is no substance in the claim raised by the petitioners, this Court will impose heavy costs on the petitioners.

9. Issue notice, returnable on 08.04.2026.

10. Mr. Patel, learned Additional GP waives notice on behalf of respondent Nos.1 to 5-State.

11. Additionally, the petitioners are permitted to serve respondent Nos.7 to 9 by way of private service and to file affidavit of service before the next date of listing.

12. Meanwhile, the respondents are at liberty to file reply affidavits.

13. The petitioners are also directed to place on record a photocopy of the original award dated 16.08.1982 with an additional affidavit before the next date of listing.”

2. Today when this petition is taken up for consideration, certain facts are brought to our notice, which we find to be disturbing.

3. An application bearing Interim Application No.3104 of 2026 has been filed on behalf of the applicants, who claim to be the owners of the land and on whose behalf the instant petition was filed by a Constituted Attorney, claiming that the petition was filed for and on behalf of the applicants.

4. The application is styled as an application for withdrawal of the writ petition. The applicants placed reliance on a Power of Attorney dated 14.10.2015, copy of which is annexed to the application, to contend that the power of attorney was executed in favour of the said Constituted Attorney Sanjay Shamgir Gosavi only in respect of land located in Survey No.61, Hissa No.3/1 admeasuring 80 Ares, Village Nigade, Taluka Haveli, District Pune. It is submitted that the Constituted Attorney, without any authority under the said document, has filed the petition purportedly on behalf of the applicants (owners) for land in Survey Nos.61/1 and 61/3. On this basis, it is stated in the application that the petition could not have been filed on behalf of the applicants in such a manner. Consequently, the applicants pray for withdrawal of the petition.

5. On the face of it, we find that the frame of the interim application filed by the applicants is wholly defective and misleading. There is no question of the applicants seeking withdrawal of the petition, which they have not filed in the first place. We find that even if the ground raised in

the application was to be pressed into service before this Court, at the most, the applicants could have filed an application seeking dismissal of the writ petition on the ground that it was filed by the Constituted Attorney without any authority under the aforesaid Power of Attorney dated 14.10.2015.

6. Although the learned counsel for the applicants was at pains to point out that filing of such a petition, *inter alia*, was jeopardizing an application moved by the applicants before the State authorities for benefit of a recent Government Resolution, we find that when the very frame of the application is defective, the same cannot be entertained at all.

7. On this ground itself, the application deserves to be dismissed.

8. Further, the learned additional government pleader correctly points out that there could be more than meets the eye, for the reason that the *vakalatnama* filed along with the application appears to have been signed in English by the applicant No.1, while photocopies of documents obtained from the office of the Deputy Collector (Land Acquisition) purportedly filed by the same applicant No.1 show that she had affixed her thumb impression before the said officer. It creates doubt in the mind of this Court as to what is the identity of the applicants, who have approached this Court by way of the said application.

9. It is open for the respondent State authorities to raise this issue before the concerned officer in any pending proceeding.

10. Be that as it may, the document brought to our notice in the aforementioned application clearly shows that in the present case, the Constituted Attorney Sanjay Shamgir Gosavi misled this Court by giving an impression that he was authorized to represent the owners - Smt.

Vimal Babu Lande and Bholenath Babu Lande for pursuing the present writ petition. The contents of the writ petition show that they pertain to lands located in Survey Nos.61/1 and 61/3, while the copy of the Power of Attorney brought to our notice in the said application shows that the Constituted Attorney was never authorized to represent the interests of the aforesaid owners in the said lands in any manner. Yet, the said Constituted Attorney boldly filed this petition raising diverse grounds in support of the prayers made in the writ petition. We find the aforesaid conduct of the said Constituted Attorney to be reprehensible and it cannot be ignored while disposing of the writ petition.

11. It is to be noted that in the above-quoted order dated 07.03.2026 passed in the present petition, even while issuing notice, this Court had taken note of the contents of the order dated 08.09.2023 passed by the respondent Collector, who had recorded specific reasons as to why the claims made in respect of the concerned pieces of land were unsustainable. We had made it clear that if the respondents placed on record material to indicate that the claim raised in the present petition had no substance, we would be constrained to impose heavy costs. This was in the backdrop of our observation that there is a tendency amongst individuals approaching the Writ Court after decades, raking up issues pertaining to land acquisition proceedings that have taken place 30 to 40 years ago. This petition not only shows another such attempt to invoke writ jurisdiction, but it is based on a completely false premise that the Constituted Attorney had authority to represent the original owners in respect of the said lands.

12. In view of the above, Interim Application No.3104 of 2026 is dismissed.

13. For the reasons recorded hereinabove, the writ petition is also dismissed with costs. Within four weeks from today, the Constituted

Attorney Sanjay Shamgir Gosavi shall deposit costs of Rs.50,000/- in the following Account:-

**The High Court Employees Medical Welfare Fund at Mumbai**

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

**(SHREERAM V. SHIRSAT, J.)**

**(MANISH PITALE, J.)**

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