

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***WRIT PETITION NO.1996 OF 2022
WITH
INTERIM APPLICATION NO.13442 OF 2025
IN
WRIT PETITION NO.1996 OF 2022***

1. Jagruti Vaibhav Bhosale,
Age: 39, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
2. Shobha Arun Pawar
Age: 49, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
3. Mina Laxman Pawar,
Age:44, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
4. Savalati Rahul Bhosale
Age: 38, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
5. Nayana Daja Shinde
Age: 45, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune

6. Vandana Nilesch Pawar
Age: 52, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
7. Hwalya Daulat Pawar
Age: 44, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
8. Nanda Kaka Kumbhar
Age: 43, Occ.: Nil,
R/at village pandhare,
Taluka: Baramati, District: Pune
9. Chandani Sachin Kumbhar
Age: 32, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
10. Poonam Rahul Kumbhar
Age: 26, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
11. Rekha Mahadev Kumbhar
Age: 44, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune
12. Vijaya Karavesh Bhonsale
Age: 39, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune

13. Savita Vilas kokare
Age: 41, Occ.: Nil,
R/at village Pandhare,
Taluka: Baramati, District: Pune ...Petitioners

Versus

1. The State of Maharashtra
2. The Principal Secretary,
Revenue Department
Government of Maharashtra
3. The Divisional Commissioner, Pune
Dist - Pune
4. The Collector, Pune
Dist: Pune
5. The Subdivisional officer, Baramati
Tal- Baramati, Dist-Pune
6. The Tahsildar, Baramati,
Tal-Baramati, Dist-Pune
7. Maharashtra State Gramdan Navnirman
Bhoodan Samiti/Bhodan Samiti, Pune
8. Keshav Anandrao Kokare
Age: 52 yrs, Occ-Agriculture
R/at village Pandhare
Taluka : Baramati, Dist: Pune
9. Rangrao Anandrao Kokare
Age: 50 yrs, Occ: Agriculture
R/at village Pandhare

Taluka: Baramati, Dist : Pune

10. Jayshree Rangrao Kokare
Age: 43 yrs, Occ: Agriculture
R/at village Pandhare
Taluka: Baramati, Dist : Pune
11. Narayan Anandrao Kokare
Age: 47 yrs, Occ: Agriculture
R/at village Pandhare
Taluka: Baramati, Dist : Pune
12. Chaaya keshav Kokare
Age: 45 yrs, Occ: Agriculture
R/at village Pandhare
Taluka: Baramati, Dist: Pune
13. Avida Narayan Kokare
Age: 40 yrs, Occ: Agriculture
R/at village Pandhare
Taluka: Baramati, Dist : Pune
14. Shakuntala Anandrao Kokare
Age: 30 yrs, Occ: Agriculture
R/at village Pandhare
Taluka: Baramati, Dist : Pune
15. Saurabh Rangrao Kokare
Age: 24 yrs, Occ- Agriculture
R/at village Pandhare
Taluka: Baramati, Dist : Pune
16. Ruturaj Keshav Kokare
Age: 26 yrs, Occ-Agriculture
R/at village Pandhare
Taluka: Baramati, Dist: Pune.Respondents.

Mr. Sushant S. Prabhune for the Petitioners/Applicants.

Mr. N. C. Walimbe, Addl.G.P. with Ms. Savita Prabhune, A.G.P. for the Respondent Nos.1 to 6-State.

Mr. A. R. Gole, for the Respondent No.7.

Mr. S. C. Wakankar for the Respondent Nos.8 to 16.

***CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.***

DATE : 30th MARCH 2026

ORAL JUDGMENT (Per Bharati Dangre, J.) :

1. Rule. Rule is made returnable forthwith with the consent of the parties and is taken up for final disposal. Learned counsel appearing for the respondents waive notice on behalf of the respective respondents.

2. The grievance in the petition, is as regards allotment of land at the instance of respondent No.7 in favour of respondent Nos.8 to 16, in terms of the Maharashtra Gramdan Act, 1964 (for short 'the Act') which contemplates allotment of land to landless persons. The allegation against respondent No.7, is, lands are allotted to respondent

Nos.8 to 16 in utter breach of the purpose of the allotment as they are already in possession of the huge chunks of land and do not fall within the definition of 'beneficiary' under the Act.

Apart from this, it is also alleged that the private respondents breached the conditions and availed loan from Shree Vagheshwari Vividh Karykari Seva Sahakari Sanstha and a charge was created on the said land.

Relying upon the letter of Maharashtra Gramdan Navnirman Samiti dated 15th February 2020, addressed to the Sub-Divisional Officer, Baramati, it is contended that the respondents had created a fabricated consent letter, purportedly issued by the Maharashtra Gramdan Navnirman Samiti and the Samiti was also formed by producing fabricated and forged documents, on the basis of which Vagheshwari Sahakari Sanstha has disbursed loans. It is in this background the petition seeks the following reliefs:-

- “a) *The Writ in the nature of Mandamus, Certiorari or order or directives be issued, for directing the Respondents 1 to 6 to kindly allot/grant the subject land (situated at village Sonkaswadi, Tal Baramati, Dist Pune, at Gat No 51 and out of that the land admeasuring 2 acre 4 ghunte per*

Petitioner) to the Petitioners by deciding the applications filed by the Petitioners for the allotment of subject land within a specified time;

b) The Writ in the nature of Mandamus, Certiorari or order or directives be issued, for quashing, cancelling and declaring illegal, the allotment of the Bhoodan land (situated at village Sonkaswadi, Tal Baramati, Dist Pune, at Gat No 51 admeasuring 14 hectares 32 Are) to Respondent nos. 8 to 16;

b1) The Writ in the nature of Mandamus, Certiorari or Order or Directives be issued, for declaring the Respondent no 7 as illegal entity without any recognition under any law in force.”

3. The petition has therefore called into question the existence of the Maharashtra State Gramdan Navnirman Bhoodan Samiti, Pune as it is alleged that it had failed to produce any documentary evidence about its existence and it is specifically alleged that it is constituted under the Bombay Bhoodan Yagna Act, 1954.

The contention advanced on behalf of the petitioners is very specific that the Bombay Bhoodan Yagna Act, 1954 was infact never enacted as what was published in the Government Gazette was only a Bill to facilitate donation and settlement of lands in connection

with Bhoodan Yagna initiated by Acharya Vinobha Bhave and it is the specific contention that this Committee could not have been constituted as a Statutory Committee and therefore the steps taken by it, including the allotment of land in favour of the private respondents, is null and void.

4. The Tahsildar, Baramati and the Sub-Divisional Officer Baramati have affirmed an affidavit-in-reply, where it has refuted the claim of the respondent No.7 that there is a Committee formed under the erstwhile Act passed by the Madhya Bharat Province by stating that no documentary evidence in that regard has been placed on record. Another contention raised is the Act (purportedly a Bill) was only applicable to Vidharba area of Maharashtra and by no stretch of imagination it would apply to Baramati Taluka, and the Committee could not have been constituted for that region and therefore the existence of respondent No.7 itself is doubtful.

The affidavit-in-reply has referred to various complaints received by the State Government, which were directed to all

Divisional Commissioners for enquiring into the matter of alleged illegal transfer of Bhoodan lands. By Government Resolution dated 30th May 2022, the Government appointed One Member Sub-Committee to assist the Main Committee for ascertaining the allotment of lands under the Bhoodan Yojana.

5. The learned Government Advocate has placed before us a communication dated 27th March 2026 received by her from the Deputy Secretary, Revenue and Forest Department of the State of Maharashtra, categorically stating that as far as Government Resolution dated 30th May 2022 is concerned, it was restricted to Vidharba region and realising this, a new Committee has been constituted for enquiring into several aspects related to allotment of land and its expanse will now cover the rest of the Maharashtra, including Konkan, Pune, Nashik and Chhatrapati Sambhajinagar. This Committee constituted under the Chairmanship of the Divisional Commissioner, Konkan, is authorised to investigate into the allotment of land and also ascertain the alleged illegal handing over of land and

change of the user and the purpose for which it was allotted. It is also authorised to ascertain the actual holders of the said lands along with their percentage and whether there is any violation of the stipulations subject to which the land was granted. Apart from this, the scope of the enquiry being conducted by the Committee also extend to other ancillary issues and this Committee is directed to submit its report to the Additional Chief Secretary (Revenue) but the report is yet awaited.

6. As far as the respondent No.7 is concerned, the report placed before us categorically state that, upon one such complaint being filed being C.R. No.211 of 2021 registered with the Khalapur Police Station. The focus of the investigation is the fraudulent existence of the Committee, with the power being exercised by its members and, as per the Enquiry Report submitted by the Police Superintendent Raigad-Alibag to the Divisional Commissioner on 14th December 2025 it has become clear that this was never a Committee constituted under Section 88A of the Bombay Tenancy and Agricultural Land Act, 1948 but it is a Committee constituted under

the Maharashtra Public Trusts Act, 1950 It is therefore concluded in the report that the respondent No.7-Committee is not an approved Bhoodan Committee and necessarily it is not authorised to undertake the exercise of allotment of land on the pretext that the land is being allotted as 'Bhoodan'. In any case a charge-sheet has been filed and it is pending for adjudication before the appropriate Court.

7. We find substance in the contention raised by the petitioners, which have raised doubt about the existence of respondent No.7 and in turn has called in question the allotment made by the said Committee in favour of respondent Nos.8 to 16.

Since the writ petition involve various disputed questions of fact and the issue about the existence of respondent No.7 also called for certain evidence to be furnished, which in our view in exercise of our writ jurisdiction, is not possible, but since we have found that there is already a Committee constituted by the State Government, whose function is to pronounce upon the allotment of lands under the guise of 'Bhoodan', we see no difficulty why the complaint of the

petitioners shall not be relegated to the said Committee as we find that the complaint is already received by the State Government.

8. We permit the petitioners to make a representation to the Committee constituted under the Chairmanship of Divisional Commissioner, (Konkan, Chhatrapati Sambhajinagar, Pune and Nashik) which is now directed to submit its report with regards to the consideration of the subject for which the Committee is constituted for the region excluding Vidarba in terms of Government Resolution dated 30th May 2022.

The petitioners undertake to make such a representation within a period of two weeks from today.

Upon such representation being made, the Committee is directed to take cognizance thereof and after affording an opportunity to the respondent No.7-Committee to mark its appearance before it by issuing appropriate notice, and if required by submitting the compilation of documents or written submissions to substantiate claim as regards its existence, the Committee is directed to pass appropriate

orders within a period of twelve weeks from the date of appearance of respondent No.7.

Needless to state that rights and contentions of both the parties are kept open and we expect the report arising therefrom to be forwarded to the Additional Chief Secretary, Revenue and Forests for appropriate directions as the time limit for submission of its report to the Additional Chief Secretary, with respect to the other subject matters which were entrusted to the Committee, is already extended.

If at all the Committee expresses any doubt about the existence of the respondent No.7 and before it take an action for cancellation of allotment being made in favour of the private parties, it is open for the Committee to issue notices to them.

9. Writ Petition is accordingly disposed of.

As nothing survives for consideration in Interim Application being Interim Application No.13442 of 2025, the same is also disposed of accordingly.

MANJUSHA DESHPANDE, J.

BHARATI DANGRE, J.