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

WRIT PETITION NO. 1262 OF 2026

Mrs. Mangal Prabhakar Jadhav and ors. ... Petitioners
Versus
Divisional Commissioner, Nashik and ors. Respondents

Ms. Ankita Pawar, for the Petitioners.
Mr. O.A. Chandurkar, Addl. GP a/w Mr. Y.D.Patil, AGP, for the
Respondent-State.

**CORAM : M.S.KARNIK &
S.M.MODAK, JJ.**

DATE : 4th MARCH 2026

P.C. :

1. Heard learned counsel for the petitioners. We have also heard learned AGP who opposed the petition.

2. The petitioners are aggrieved by the in-action on the part of respondent no.1- Divisional Commissioner, Nashik in deciding the proposal dated 13/11/2025 forwarded by the respondent no. 2- Additional Collector, Malegaon to the respondent no.1-Divisional Commissioner, Nashik. Petitioner no.1 claims to be in lawful possession of land bearing gat no. 80, admeasuring 0.64 ares

situated at Daregaon, Taluka-Malegaon, District Nashik which is an Adivasi Inam land governed by the provisions of the Maharashtra Land Revenue Code, 1966. Petitioner no.1 who belongs to the Scheduled Tribe, made an application to respondent no.2 – Additional Collector, Malegaon, requesting permission to sell her tribal land bearing gat no. 80 to the present petitioners no. 2 and 3 on 24/03/2023. Thereafter, a departmental enquiry was conducted by the Madal Adhikari and respondent no. 3- Tahsildar. Upon completing the scrutiny and preliminary enquiry, a report was sent by respondent no. 3- Tahsildar, Malegaon on 07/07/2023 to the Additional Collector, Malegaon. In the meantime, the petitioners received a temporarily approved plan of the proposed construction of a godown on the said land from the Municipal Corporation. The petitioners no. 2 and 3 have also paid the taxes in respect of the said gat no. 80. Respondent no. 2- Additional Collector, Malegaon has recorded in his proposal that he has no objection to submitting a proposal for grant of prior approval by the State Government for transfer of the said land from a tribal to a non-tribal for non-agricultural purpose. The report was sent by him for further submission to the State Government through the

office of the Divisional Commissioner, Nashik. This proposal is dated 13/11/2025.

3. Considering that the petitioner no. 1 belongs to the Scheduled Tribe category and made an application dated 24/03/2023 seeking permission to sell her tribal land, we are of the view that the proposal dated 13/11/2025 forwarded by the respondent no. 2- Additional Collector, Malegaon to respondent no. 1- Divisional Commissioner, Nashik be decided expeditiously. Accordingly, in the facts and circumstances of the present case, we request respondent no. 1- Divisional Commissioner, Nashik and respondent no. 4- Government of Maharashtra to process the proposal in accordance with law expeditiously and, in any case, within a period of 16 weeks from the date of communication of this order.

4. Keeping all contentions open, the writ petition is disposed of.

(S.M.MODAK, J.)

(M.S.KARNIK, J.)