

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1513 OF 2026

Pritam Pandurang Humane
Age : 34 years, Occ. :- Service,
Residing at Muje Guladhe,
Taluka Shriwardhan, District Raigad ... Petitioner

Versus

1. The State of Maharashtra
Through its Secretary, Revenue
and Forest Department, Mantralaya,
Mumbai – 400 032.
2. The Tahsildar, Shriwardhan, Raigad. ... Respondents

Mr. Suresh Sabrad a/w Ms. Neha Zanje, Ms. Eshwaree Kudalkar for
Petitioner.

Mr. Sachin H. Kankal, AGP for Respondent-State.

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

DATE : 16th MARCH 2026.

P.C. (Per S. M. Modak J.) :-

1. The only prayer which is made in this Petition is to issue
direction to Respondent No.2-Tahsildar, Shriwardhan to hear and

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decide the application dated 21st December 2023 made by the Petitioner. The prayer made in that application is to convert land tenure from Class II to Class I in respect of land bearing Gat No. 118 situated at village Guladhe, Taluka Shriwardhan, District Raigad. Though the application was made on 21st December 2023, till filing of the Petition it was not decided by Tahsildar and hence on the basis of submissions made on 27th February 2026, this Court directed Secretary Revenue Department Government of Maharashtra to file detailed reply. The affidavit in reply is affirmed by Additional Chief Secretary Revenue Shri. Vikas Shankar Kharage. We have read the said affidavit.

2. We have also heard Mr. Sabrad, learned Advocate for the Petitioner and Mr. Kankal, learned AGP for Respondent-State. Certainly directions prayed can be issued. It will be relevant to note the important facts as pleaded in the Petition. There are as follows:-

(a) There is certain surplus land declared as per the provisions of Section 27 of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961. The Collector is empowered to grant the surplus land. Sub Section (1) of Section 27 is reproduced for ready reference it

is as follows:

27(1) Subject to any rules made in this behalf, land (other than grazing land or tank land or land notified by the State Government as not capable of being disposed of for cultivation) which is acquired by and vests in the State Government under section 21 shall, subject to the provisions of the Code, be granted by the Collector or any other officer authorised in this behalf by the State Government in the order of priority set out in sub-Sections (2), (3), (4) and (5).

Such distribution has to be made subject to any rules made therein and subject to provisions of the code. The affidavit filed by Additional Chief Secretary mentions that Draft of Maharashtra Agricultural Lands (Ceiling on Holdings) Rules, 2026 is in the process of finalization. There was a public consultation which ended on 11th February 2026. After taking approval of the Competent Authority, it is stated that the Rules will be published in the Gazette. Even the affidavit further mentions that the learned Additional Chief Secretary has instructed the Collector Raigad vide letter dated 6th March 2026 to pass the final order within three months from the date of publication of those rules. We are sure that the Collector Raigad will decide the application of the Petitioner within the said period.

(b) The application of the Petitioner dated 21th December 2023 has

given the details of the land and it further mentions certain mutation entries, that application is addressed to Tahsildar Shriwardhan.

(c) The Petitioner contends that this land was allotted to one Kanu Sudkya Humane by the State Government and necessary mutation was certified. Petitioner claims to be the successor of said Kanu.

(d) There are certain conditions imposed by the government while issuing grant in favour of said Kanu.

(e) Petitioner contends that said Kanu expired on 9th November 1992 and necessary mutation is certified.

(f) Consolidation scheme was introduced in that area on 2nd April 1992 and survey number is converted into gat number.

(g) Petitioner contends that other co-owners have relinquished their rights in the said land in favour of the Petitioner and mutation is also certified.

(h) Petitioner contends that he is in urgent need to meet his financial ends.

3. It is a legitimate expectation of the Petitioner that his

application needs to be decided within a reasonable time. The affidavit in reply filed by the Additional Chief Secretary mentions that the Tahsildar and the Mandal Adhikari have not acted with promptness. We are not certain about what are the obstacles in deciding the application of the Petitioner. It is very true that, if the Rules 2026 will be framed, certainly it will give guidance to the concern authorities to decide the prayers which will fall within the purview of those Rules.

4. The only reason for issuing direction by this Court on 27th February 2026 is to ensure that the concerned revenue authorities will fulfill their responsibilities with promptness. This Court never wants any action to be taken against the concerned officials unnecessarily, but the only concern is to decide the pending application. Hence, the following order:

ORDER

- (i) The Writ Petition is allowed.
- (ii) The Respondent No.2-Tahsildar / Collector Raigad is directed to decide the application dated 21st December 2023 within three months from the date of publication of Rules 2026 in the official gazette.

- (iii) It is made clear that this Court has not expressed any observations about entitlement of the Petitioner but it is for the concern authorities to decide whether the prayer for conversion can be granted or not.
- (iv) Respondent No.2-Tahsildar is at liberty to hear the Petitioner.
- (v) Office of Government Pleader to send copy of this order to learned Additional Chief Secretary. Learned AGP to follow up.
- (vi) It is made clear if there is substantial delay in publication of Rules then the Tahsildar-Respondent No.2 is directed to decide the application as per existing rules at the earliest.

(S.M.MODAK,J.)

(M.S.KARNIK, J.)