

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 7636 OF 2026

Dagadu Bapu Patil
(since deceased) through Legal Heirs
Tarabai Dagadu Patil & Ors.

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

-
- Mr. Atharva Dandekar i/by Mr. Hitendra Parab, Advocate for Petitioners

.....
CORAM : MILIND N. JADHAV, J.

DATE : APRIL 7, 2026

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 07.04.2026.
2. Heard Mr. Dandekar, learned Advocate for Petitioners.
3. Petitioners rather their predecessors-in-title have an order passed under the provisions of Section 32G of the Maharashtra Tenancy and Agricultural Land Act, 1948 (for short "**the Act**") in their favour and fixation of price under Section 32M - Certificate has been done and Sale Certificate is issued by the Competent Authority as far back as in 1973. Mr. Dandekar would submit that Petitioners and their predecessors-in-title have been in possession of the subject land since then and continued to do so today. He would submit that without the knowledge of Petitioners, SDO initiated *suo motu* proceedings

sometime in the year 2020 to dislodge and mutate the names of Petitioners with regard to the subject land on the premise that the subject land belonged to Devasthan and therefore proceedings under the Maharashtra Tenancy and Agricultural Land Act would not be applicable to Devasthan land. He would submit that Petitioners were completely unaware of the proceedings before the SDO and / or the orders passed by SDO. He would submit that after a hiatus of 6 years Petitioners came to know that SDO had passed the impugned order dated 10.05.2020 which came to the Petitioners' knowledge in November 2025 pursuant to which present Petition has been filed.

4. Arguable case is made out by Mr. Dandekar for issuance of notice. Hence, issue notice to the Respondents made returnable on 05.05.2026. Humdast permitted. In addition to Court's notice, Petitioners are directed to serve copy of the Petition along with copy of this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

5. After receiving the notice, Respondents to file affidavit-in-reply before the next date, if so desired with an advance copy to the Advocate for Petitioners.

6. Stand over to 5th May, 2026.

Amberkar

[MILIND N. JADHAV, J.]

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by RAVINDRA
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