



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11068 OF 2018

UMESH RAM GIRI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioner : Mr. Ashok R. Tapse h/f Mr. M. D. Narwadkar

AGP for Respondents-State : Ms. D. S. Jape

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CORAM : SIDDHESHWAR S. THOMBRE, J.

Date : 6th May, 2026

ORDER :-

1. Heard the learned counsel for the respective parties.
2. The Petitioner is aggrieved by the order dated 01.06.2018 passed by the learned Maharashtra Revenue Tribunal in a review of its own order dated 30.12.2014, in Appeal No. 48-A of 2012. By the said order, the Tribunal confirmed the order dated 10.04.2012 passed by the Deputy Collector (General), Beed which directed the forfeiture of the Petitioner's land.
3. Mr. Tapse, the learned counsel for the Petitioner submits that the Petitioner is the owner and possessor of land Gat No. 24 admeasuring 3 Acres and 1 Are. This land was originally



allotted by the Government to one Ganesh Chavan under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, (for short, the Act) in the year 1976. The Petitioner purchased the said land via a registered sale deed (No. 3105/1995) dated 18.10.1995. Following the purchase, a Mutation Entry No. 357 was duly recorded in the Petitioner's name.

4. On 10.04.2012, Respondent No. 3 passed an order for the forfeiture of the land on the grounds that there was a violation of Section 29(1) of the Act, alleging a breach of conditions regarding the transfer of allotted land. The Petitioner challenged this by filing an appeal, contending that the inquiry was conducted without their knowledge and that the power to conduct such an inquiry was exercised well beyond a reasonable period. Despite these contentions, the Maharashtra Revenue Tribunal dismissed the appeal and subsequently rejected the review petition.

5. The learned counsel for the Petitioner further submits that the authority lacks the power to conduct an inquiry after a lapse of 12 years from the date of the transaction. It is argued that such powers must be exercised within a reasonable period of three years.



6. In support of this, the Petitioner relies on the law laid down by the Full Bench of this Court in **Manohar Ramchandra Manapure and Others v. State of Maharashtra, (1989 Mh.L.J. 1011)**, which held that suo motu inquiry under Section 45(2) of the Ceiling Act must be initiated within three years.

7. The learned AGP supported the orders of the Tribunal and the Deputy Collector, contending that the land was originally allotted land and the Petitioner failed to obtain the necessary prior permission from the authorities before the sale, thus constituting a breach of condition.

8. Having heard the parties and perused the material on record, this Court finds that the issue is no longer *res integra*. The Full Bench of this Court in the case of **Manohar** (supra) has clearly held that the exercise of revisional powers under the Act is restricted to a period of three years.

9. In the present case, the registered sale deed was executed on 18.10.1995, yet no action was taken until 2007. In view of the law established in the **Manohar** (supra), the inaction



for 12 years renders the subsequent order unsustainable.

10. Accordingly, the Writ Petition is **allowed**. The impugned orders passed by the Deputy Collector and the Maharashtra Revenue Tribunal are hereby quashed and set aside.

(SIDDHESHWAR S. THOMBRE, J.)

Omkar Joshi