

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10283/2014

GANESH SHALIGRAM DESHMUKH

...PETITIONER...

VERSUS

THE STATE OF MAHARASHTRA & OTHERS.

...RESPONDENTS...

.....

Shri Amit A. Mukhedkar , Advocate for Petitioner.

Shri P.P. More, AGP for Respondent Nos.1 & 5.

.....

**CORAM: B.P. DHARMADHIKARI &
A.M. BADAR, JJ.**

DATE: 20.12.2014

ORDER :

1] Heard Shri Amit A. Mukhedkar , Advocate for
Petitioner and Shri P.P. More, AGP for Respondent Nos.1 &
5.

2] Property card of the property before its sale shows
ownership of petitioner on part of Plot No.46. Total
area of Plot No.46 as per P.R. Card is 344 Sq.Mtrs.
Petitioner's predecessor in title purchased on 25.12.2001
area of 278 Sq.Mtrs out of it. Petitioner thereafter
sold 103.06 Sq.Mtrs. to respondent no.3 and respondent
no.3 in turn sold it to respondent no.4.

3] It is obvious that there is no partition by any competent authority of said plot No.46. Material to show whether plot No.46 is legally recognized and then sub-divided as per law is missing.

4] In this situation, grievance of petitioner that respondent no.4 has raised unauthorized construction cannot be looked into by us in writ jurisdiction. Petition is, therefore, not entertained. It is rejected. No costs.

(A.M. BADAR, J.)

(B.P. DHARMADHIKARI, J.)