

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 595 OF 2015

Namdev s/o Dashrath Jadhav

.. PETITIONER

VERSUS

State of Maharashtra
& others

.. RESPONDENTS

Mr. U.S. Patil, advocate for petitioner.
Mrs. A.V. Gondhalekar, AGP for the State.

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**CORAM : R.M. BORDE &
P. R. BORA, JJ.**

DATE : 20th JANUARY, 2015.

PER COURT :

1. Petitioner is praying for issuance of directions to respondents to act upon the resolution dated by the Gram Sabha on 16.06.2013. The resolution relates to allotment of gat no. 260 belonging to the State Government to the homeless persons belonging to backward community.

2. It would be within the domain of the Collector and the Zilla Parishad, on observance of necessary formalities, to take decision in the matter. Petitioner is resident of the village and does not have any personal interest in the matter and he claims to have presented the petition in the general public interest. Taking into consideration the nature of demand raised in the petition, it would be for the Collector and Zilla Parishad authorities to examine whether the demand made by petitioner in the instant petition and the resolution adopted by the Village Panchayat are in conformity with the judgment of the Supreme Court in the matter of Jagpal Singh and others Vs.

State of Punjab and others reported in **(2011)11 SCC 396** and the resolution adopted by the Government concerning allotment of Government *gairan* lands to homeless persons. We do not propose to express our views on the merits of the demand made by petitioner in the instant petition and leave the matter for consideration to the Collector. In our view, no direction need to be issued in the instant petition. Writ petition is devoid of substance hence stands rejected.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

dyb