

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3272 OF 2015

SHARAD VIMUKTA SAHAKARI GRUHA NIRMAN SANSTHA,
AURANGABAD
VERSUS
STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. K.T. Shirrurkar
AGP for Respondents 1, 2, 4 and 5: Mr. S.G. Karlekar
.....

**CORAM : R. M. BORDE AND
V. K. JADHAV, JJ.**

DATED : 27th APRIL, 2015

P.C. :-

1. The petitioner is praying for issuance of directions to the respondent MHADA authorities to consider the representation and allot land for the purpose of raising construction of houses for its more than 300 members. Earlier on several occasions, the petitioner has approached this Court with similar request. Writ petition No. 8346 of 2011 was presented by the petitioner society for issuance of similar relief, which came to be disposed of with directions to the MHADA authorities to consider the request and take appropriate decision. Yet another petition was presented bearing No. 10069 of 2012 for identical relief, which came to be withdrawn by the petitioner with liberty to avail appropriate remedy.

2. It is noticed that one more writ petition bearing No. 7826 of 2009 was presented by the petitioner society for issuance of directions to the respondents to consider the proposal of the petitioner society to allot land admeasuring 3 Hectare 50 Are from Gat No. 73 and 145 at village Deolai. The said writ petition was considered by the Court and directions were issued to the respondents to take steps and file compliance report. According to the petitioner, since directions issued by this Court was not complied with, a Contempt petition came to be presented.

3. The petitioner again approached this Court by presenting contempt petition No. 121 of 2014 with a grievance that directives contained in the order passed in writ petition No. 8346 of 2011 have not been complied with. While disposing of contempt petition, the court observed that it would be open for the petitioner to present an application in prescribed proforma together with necessary documents and respondents were directed to consider the said application in terms of directions contained in the order dated 3.8.2012 in writ petition No. 8346 of 2011, within four months from the date of receipt of said application.

4. The petitioner has again approached this Court with identical relief as has been prayed earlier on several occasions. This Court

has entertained the petitions presented by the petitioner society and issued necessary directions from time to time. Again entertaining the instant writ petition for the same relief is likely to yield any result. The respondent MHADA authorities are already directed to consider the request of the petitioner in several writ petitions, referred to above. We do not find any substance in the writ petition. Writ petition is rejected.

5. It would be open for the petitioner to persuade the concerned authorities for redressal of its grievance. Writ petition stands disposed of.

(V. K. JADHAV, J.)

(R. M. BORDE, J.)

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