

sas

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.631 OF 2015

Pandurang Sadashiv Bapat	..Petitioner.
V/s.	
Chiplun Nagar Parishad & Ors.	..Respondents.

Mr. Bakul Bhosale for the petitioner.
Mr.V.S. Gokhale, AGP for respondents.

**CORAM : A.S.OKA AND
A.K. MENON, JJ.**

DATED : 19TH JANUARY, 2015

P.C. :-

1. Not on board. Taken on board.
2. Heard learned counsel for the petitioner. The petitioner published an advertisement in daily newspaper 'Dainik Sagar' on 4th August, 2012 stating therein that he was intending to sell his undivided share in the property described in the said advertisement. He invited offers from the prospective purchasers. An objection was raised by the Chief Officer of the first respondent Municipal Council by publishing another advertisement in the same newspaper on 22nd August, 2012 that the property was held on lease by the Municipal Council.
3. The only prayer made in this petition under Article

226 of the Constitution of India is prayer clause (a) reads thus:-

“This Hon'ble Court may be pleased to direct the Respondent No.1 and 2 not to obstruct the Petitioner from selling the said plot of land during my lifetime. ”

4. Such a relief cannot be granted by a writ Court. The petition is completely misconceived and the same is rejected. We make it clear that we have not adjudicated on the merits of the issue of title.

(A.K.MENON, J.)

(A.S.OKA, J.)