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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.7036 OF 2015

Shreemant Sanjay Balchandra
Khasgiwale ...Petitioner
vs.
Vitthal Rukmini Temple Committee,
Pandharpur & Others ...Respondents

Mr.Tejesh Dande i/b Tejesh Dande & Associates for
the Petitioner
Mr.S.G.Surana for the respondent No.1
Ms M.P.Thakur, AGP for respondent Nos.2 and 3.

CORAM : A.S.OKA, &
REVATI MOHITE DERE, JJ.
DATE : JULY 20, 2015

P.C.:

. Not on board. Taken on board.

1 The communication dated 8th July 2015 shows that the Vitthal Rukmini Temple Committee has declined to grant the request of the petitioner to allow him to perform Pooja in Vitthal Rukmini Temple at the midnight of 26th July 2015. The reason given is that the petitioner has no subsisting right.

2 Therefore, the question which arises is whether the petitioner has any hereditary right or privilege to exercise in, or in relation to, any of the temples. This question in view of sub-section 1 of section 3 of the Pandharpur Temples Act, 1973 is required to be adjudicated upon by the Authorised

Officer within the meaning of clause (b) of section 2 of the said Act.

3 An Appeal is provided against the decision of the authorised Officer.

4 Hence, it is not necessary to entertain this petition under Article 226 of the Constitution of India. In view of the availability of statutory remedy, the petition is not entertained and the same is disposed of.

5 If the petitioner approaches the authorised Officer, he shall give necessary priority to the hearing of the application made by the petitioner considering the urgency involved.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)