

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6309 OF 2015

Madhukar S/o Laxman Devale .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

Mr. S.P. Tiwari, Advocate for the petitioner

Ms. S.S. Raut, AGP for the respondent/State

**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 20/07/2016

ORAL ORDER :

Mr. Tiwari, learned counsel for the petitioner submits that Government has issued a circular dated 30/7/2010 thereby all the transactions of the Devasthan Inam lands, which were illegally transferred, were directed to be cancelled. Pursuant to the said circular, the petitioner made an application to make enquiry and take decision accordingly. However, no cognizance is taken of the same. The land was a Devasthan inam owned by Vitthal Rukmini Mandir Sansthan.

2. Learned A.G.P. states that the said circular deals with illegal transfers and in the present case, the transfer was with the permission of the Charity Commissioner, Mumbai.

3. We have considered the submissions. The letter dated 15/7/2012 issued by the Additional Collector, Dhule to the petitioner is self-explanatory. It specifically states that as per the mutation entry no. 7513 dated 16/9/1983, it is clear that the office of the Charity Commissioner, Mumbai has granted permission vide order dated 17/7/1975 and pursuant to the said permission, the transaction has taken place and subsequently the Collector has also passed an order treating the land as Devasthan Inam Class-3.

4. Considering the above, the circular relied by the petitioner may not be applicable. As such, the Writ Petition is disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

arp/