

vks

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10563 OF 2015

Kulbhushan Kushaba Awati

.... Petitioner

Versus

Sharad Awati and ors

.... Respondents

Mr. Ashish Pawar I/by Mr. Manoj A. Patil, for the Petitioner.

Mr. A. B. Vagyani, Government Pleder and Mr. V. B. Thadani, AGP
for the State.

**CORAM : A. S. OKA &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 3rd MARCH 2016.

P.C. :

1. As far as individual grievance of the petitioner is concerned, it has already taken been care of by this Court by passing earlier orders.
2. In terms of directions issued by this Court, the Revenue and Forest Department of the State has issued a Government Resolution laying down elaborate procedure for filing, scrutiny and entertaining of the Appeals, Revision Applications and Review Applications, which are filed with the State Government in various department. On the similar lines the Urban Development Department has issued Government Resolution dated 2nd March, 2016 which is tendered across the bar. It is marked as

“X-2” for identification and is taken on record.. The elaborate procedure has been laid down by the Urban Development Department for dealing with the appeals preferred under the provisions of Maharashtra Regional Town Planning Act, 1966.

3. There are large number of Writ Petitions under Article 226 of the Constitution of India filed in this Court making a grievance that the prayers made by the parties for interim relief in the appeals/revision applications filed before the State Government are not entertained expeditiously. Earlier there was no procedure of maintaining even a proper register of Appeals/ Revision Applications. The Government Resolutions of the Revenue and Forest Department and Urban Development Department lay down elaborate procedure including the procedure for considering the prayers for grant of ad-interim relief as well as interim-relief.

4. On the lines of the Government Resolutions issued by Revenue and Forest Department as well as the Urban Developed Department, the State Government shall consider of issuing Government Resolutions dealing with Appeals/Revision Applications filed with the other departments of the State as well. We hope and trust that the Government Resolutions which are already issued are implemented in its true letter and spirit.

5. Considering the fact that the Officers of the State are exercising quasi-judicial powers which are affecting the rights of the citizen, it will be advisable if regular training workshops are conducted for them. Therefore, it will be appropriate if learned Government Pleader takes an initiative and ensure that the workshops of Government Officers are arranged at regular intervals.

6. The State Government may consider of taking assistance of the Maharashtra Judicial Academy for holding of workshops.

7. With above directions, we dispose of the petition.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[A. S. OKA, J.]