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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4288 OF 2017**

Shri Chalu Jyotiba Noukudkar & Ors.	... Petitioners
Vs.	
The Additional Commissioner, Pune and Ors.	... Respondents

.....

Mr. Atul P. Vanarase for Petitioner.
Ms. Aparna Vhatkar, AGP for State.

.....

**CORAM : A.S. OKA & A.K. MENON, JJ.
DATE : 11th APRIL, 2017**

P.C.

Not on board. Taken on board.

1. Heard learned Counsel for the petitioners. The case of the petitioners is that the petitioners' first appeal preferred before the Additional Collector, Kolhapur was rejected on 31st March 2005. The petitioners claim that on 20th July, 2005 they preferred a further appeal bearing no. BND/Appeal No. 80/2005 before the Divisional Commissioner (First respondent).

2. It is alleged that the said appeal has not been decided till today and in the meanwhile on 6th March, 2017 the petitioners are served with a notice of dispossession. The petitioners' have not annexed the copies of appeals allegedly preferred before the Additional Collector and the first respondent – Divisional Commissioner.

3. The petitioners have not disclosed in the petition the order which was allegedly challenged by the petitioner by preferring an appeal before the Additional Collector. The petitioners are relying upon an extract of Register which is marked as Exhibit-A. Apart from the fact that it is not a certified copy, even treating the same as correct, it does not indicate that an appeal bearing no. 80/2005 was filed by the petitioners before the Divisional Commissioner.

4. Hence, there is absolutely no basis for filing this petition under Article 226 of the Constitution of India. Accordingly, we decline to entertain this petition and the same is rejected.

(A.K. MENON, J)

(A.S. OKA, J)