

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1208 OF 2017

Shoyeb Nazeer Shaikh

..Petitioner

Vs.

The State of Maharashtra through Govt. Pleader
& Ors.

..Respondents

Mr. A. S. Khandeparkar a/w mr. Amogh Karandikar for Khandeparkar &
Associates for the Petitioner.

Mr. N.C. Walimbe, AGP for the Respondent/State.

**CORAM: V.M. KANADE &
C. V. BHADANG, JJ.**

APRIL 5, 2017.

P.C.

. Heard the learned counsel for the parties.

2. The learned counsel for the Petitioner is seeking relief in this petition in terms of prayer clause (a) which reads thus:

“This Hon'ble Court be pleased to issue a writ of mandamus or a writ, direction or order in the nature of mandamus or any other appropriate writ, direction or order under Article 226 of the Constitution of India directing the State Government to frame parameters for fixing the market value on the basis of which penalty is to be imposed under section 48(7) of the Maharashtra Land Revenue Code, 1966.”

3. In our view, this Court while exercising its writ jurisdiction under Article 226 of the Constitution of India cannot issue an order directing the State Government to frame Rules or to legislate.

4. Reserving the right of the Petitioners to make a

representation and to approach appropriate Authority, the petition is hereby disposed of.

(C. V. BHADANG, J.)

(V.M. KANADE,J.)