

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3671 OF 2017**

Jagdish J. Thakur

..Petitioner

Vs.

The State of Maharashtra & Ors

..Respondents

Mrs. Preeti Walimbe for the Petitioner

Mr. S. S. Pednekar APP for the Respondent State

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL, JJ
DATE : 16th NOVEMBER, 2017**

P.C.

1 The Learned Counsel appearing for the Petitioner Mrs. Walimbe states that the Petitioner would press only prayer clause (c) of the above Petition. The said prayer clause (c) reads thus:

(c) This Hon'ble Court may be pleased to issue a Writ in the nature of mandamus or any other appropriate Writ, order or direction in the nature of writ directing the Respondent No.5 to decide the representative dated 21-8-2017 (annexed at Exhibit J) and conduct appropriate enquiry in the matter.

Hence the only relief sought in the above Petition is that a direction be issued to the Respondent No.5 to decide the representation of the Petitioner dated 21-8-2017 which is annexed to the above Petition at Exhibit J page 43.

2 The principal grievance in the said representation is as regards two orders i.e. order dated 14-7-2017 and order dated 28-7-2017 passed by the Respondent No.3 i.e. Deputy Superintendent of Land Records, Thane. The grievance of the Petitioner is as to how could the Deputy Superintendent of Land Records pass two contrary orders, that is by the first order direct the parties to approach the Civil Court and by the second order record the fact that the Petitioner does not press for measurement of the land in question.

3 In view of the fact that the said representation dated 21-8-2017 has not been dealt with by the Respondent No.5 herein, we direct the Respondent No.5 to decide the said representation within 4 weeks from date by giving opportunity to the parties which would undoubtedly include the Petitioner. The above Petition is accordingly disposed of.

4 The aforesaid development to be informed to the Respondent No.5 by the Learned APP Mr. Pednekar forthwith.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]