

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

WRIT PETITION NO. 764 OF 2017

Shri Gukuldas Gridhar Mhatre ... Petitioner

V/s.

The State of Maharashtra & ors. ... Respondents

Mr. A.B. Kadam for the petitioner.

Ms. R.A. Salunkhe, AGP for respondents 1 and 2.

Mr. V.V. Pai for respondents 4 and 5.

Ms. Nilima Theurkar Naib, Tahasildar, Uran present.

**CORAM : NARESH H. PATIL AND
SMT. SADHANA S. JADHAV, JJ.**

28th April, 2017.

P.C.

The petitioner has prayed for following substantive relief:

(b) This Hon'ble Court may be pleased to direct the Respondent No.4 to forthwith install water connection in House of Petitioner bearing House No.368 situated at village Phunde, Tal. Uran, District: Raigad.

2. The petitioner had filed a petition earlier being Writ Petition No. 4448/2014 for similar cause of action. By an order dated 28th July, 2014 the Division Bench of this Court (Coram: A.S. Oka and A.S. Chandurakar, JJ) rejected the petition. Paragraph-6 of the order reads as under:-

6. We, therefore, reject the Petition. However, we make it clear that it will be open for the petitioner to apply for regularization of the house No.368. If the construction of house No.368 is regularized, it will be open for the petitioner to make a fresh application to the first respondent for granting water connection.

3. Learned Government Pleader submits that petitioner had approached for similar reliefs before the Human Rights Commission. The Human Rights Commission passed order dated 5th October, 2015.

4. It seems that petitioner had approached other forums. Petitioner has filed petitions on the same subject matter in this Court and before the Human Rights Commission. The Petitioner has not disclosed this fact in this petition.

5. Learned Counsel appearing for petitioner now seeks leave to withdraw the petition. Petition is dismissed with cost of Rs.5000/-.

(SMT. SADHANA S. JADHAV, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.