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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION NO.70 OF 2017

Sagar s/o Navnath Tanpure,
Age: 29 years, Occ: Agri.,
Dist. Ahmedangar & anr

..PETITIONERS

VERSUS

The State of Maharashtra
Through its Principal Secretary,
Revenue Department,
Mantralaya, Mumbai 400 032 & ors

..RESPONDENTS

Mr Ketan D. Pote, Advocate h/f Mr Arvind G.
Ambetkar, Advocate for petitioners;
Mrs A.V. Gondhalekar, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE
AND
MANGESH S. PATIL, JJ.**

DATE : 28th NOVEMBER, 2018

ORAL ORDER :

Heard learned Counsel appearing for the
petitioners.

2. Learned Counsel appearing for the
petitioners fairly submitted that his basic
grievance raised in the petition is that though the
respondents-authorities have constructed and

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completed new Talathi/Mandal Office in land Gat No. 843/1 at Nighoj, Taluka Parner, District Ahmednagar, office was not operational due to certain disputes. It was then submitted that though large sum amount was spent on the construction of building and as the office is not shifted in the new building from old building, the petitioners and alike the residents of village are put to inconvenience.

3. Learned Counsel for the petitioners then submitted that though the petitioners made other prayers namely prayer clauses (B) and (C) for direction to conduct inquiry and directions to initiate criminal action, the petitioners are not pressing these prayers, as their basic grievance is in respect of newly constructed building which is in operational.

4. In response to the notice issued by this Court, an affidavit in reply is filed on behalf of respondent Nos. 1,3,6,7 and 8 through Mr. Ganesh s/o Shivaji Markad, Tahsildar, Parner. In the

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affidavit in reply, it is admitted that the building is constructed in Gat No. 843/1. Then it also refers to position that as no other place was available for construction of building and thereafter land was gifted by one Shri. Somnath Daulat Warkhede and gift deed was also executed and on the said land, building is constructed. Then it is also stated in the affidavit in reply at paragraph-10 that new building constructed for Talathi/Mandal Office is now in use and the Talathi and Mandal Office are doing their day to day work. It is then stated that the grievance of the petitioners is met out.

5. Learned Counsel appearing for the petitioners also admit this factual position.

6. In view of the fact that the grievance of the petitioners was addressed and also now redressed and building being operational, the purpose of the petitioners approaching this Court is served. Accordingly, Public Interest Litigation is disposed of.

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7. Learned Counsel appearing for the petitioners, by inviting our attention to the order dated 5th February, 2018, submitted that the petitioners have deposited an amount of Rs.10,000/- (Rs. Ten thousand only) to show their *bona fides* and in view of the disposal of the public interest litigation, the petitioners be permitted to withdraw this amount.

8. The petitioners are permitted to withdraw the amount deposited in this Court.

(MANGESH S. PATIL)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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