

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.6454 of 2016**

Fatehsinh M. Chauhan .. Petitioner  
V/s  
The Union of India and others .. Respondents

...

Ms.Varsha Palav i/b The Laureate for the petitioner.  
Mr.S.S.Deshmukh for the respondent.

**CORAM: S.C. DHARMADHIKARI &  
SMT.BHARATI H.DANGRE,JJ.**

**DATED: 5<sup>th</sup> JANUARY, 2018**

**PC :-**

1           After having heard both the sides, we do not find that the High Court is the forum for issuance of an order allowing non-agricultural development on an agricultural plot of land. If the petitioner desires to commence and conclude such non-agricultural user, he must apply in the prescribed format to the competent authority and in the event, there is an inaction on the part of that authority, the law will take its course. If there is no application on record, and there is no order allowing such non-agricultural development, then the

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consequences of carrying out such development will have to be visited on the petitioner. Either which way, this is not the forum the petitioner can approach to seek any permission or what he styled as a formal order. The inaction of a competent authority does not mean end of the world. The petitioner has ample remedies under the Land Revenue Code or concerned enactments, and he can go the higher authorities right up to the State Government complaining about any inaction, deliberate or otherwise. In such circumstances, in these matters which are purely factual, we do not think we should entertain this Writ Petition, and the same is disposed of.

**(SMT.BHARATI H. DANGRE,J)**

**(S.C.DHARMADHIKARI)**