

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

WRIT PETITION NO.3331 OF 2019

**DILIP SAKHARAM KALE
VS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Sunil D. Kaldate, Advocate for the petitioner
Mr.S.S.Dande, AGP for the respondents/State

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 06.03.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. A limited grievance is raised in the petition as such the petition is taken up for hearing disposal at the admission stage. Issue notice to the respondents, returnable forthwith. Learned AGP waives service of notice for the respondents/State.

3. By inviting our attention to the documents placed on record Mr.Kaldate, learned counsel submitted that the father of the petitioner was the owner and

possessor of the property. Our attention was also invited to the correction of entries in the name of the petitioner. It refers to the death certificate of father of the petitioner, succession certificate in favour of the petitioner, the spot inspection panchanama etc. Learned counsel for the petitioner further submitted that the petitioner is anxious to take further steps as such had approached office of respondent No.3 with a request to carry out measurement of the property i.e. Survey No.231. Initially it was informed to the petitioner that some legal proceeding is pending before the Division Bench, Ambejogai and there was an interim order passed by the Court. The petitioner on enquiry found that neither in the said suit the said property is subject matter nor the petitioner is party to any such proceeding as such the petitioner approached respondent No.3 with an application dated 12.12.2017. Learned counsel submitted that the application is pending. As the application was pending for considerable long period the petitioner left

with no choice to approach this Court with the present writ petition.

4. This is being a limited grievance the petition is disposed of with direction to respondent No.3 to decide application dated 12.12.2017 as early as possible and not later than eight weeks from the date of order of this Court, needless to state on merits, if it is not already decided by the authority.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]