

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

906 WRIT PETITION NO.1528 OF 2019

**MADHAVRAO SHYAMRAO KADAM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Shri Manoj G. Biradar
AGP for Respondents – State : Shri S.D.Ghayal
Advocate for Respondent No.3 : Shri Devdatt P. Palodkar
...

**CORAM : P.R.BORA, J.
DATE: 4th April, 2019**

PER COURT:-

1 Heard Shri M.G.Biradar, learned Counsel appearing for the petitioner, Shri D.P.Palodkar, learned Counsel appearing for respondent No.3 and Shri S.D.Ghayal, learned AGP appearing for respondent State.

2 The petitioner has sought the following directions in the present writ petition:-

'B. By issuing writ of mandamus, or any other writ, order or directions in like nature, this Hon'ble Court may be pleased to quash and set aside order dated 8.03.2018 in file no.2015/MASHAKA-2/LAND/T-2/ CR-11 passed by respondent no.2 and further be directed the respondent No.3 to construct the over

head electricity transmission line and tower as per sanction layout and sanction map.'

3 Respondent No.3 has filed affidavit-in-reply wherein it is specifically contended that respondent No.3 is strictly abiding to transmission route/plan prepared for it. Nothing specific has been brought to my notice as about deviation from the said plan. In the circumstances, I do not see any reason for accepting the request made in the present petition. The petition being devoid of any substance deserves to be dismissed and is accordingly dismissed.

4 The petitioner was asked to deposit an amount of Rs.20,000/- to show his bonafide. The learned Counsel has sought refund of the said amount. The learned Counsel submits that under bonafide belief petitioner was agitating the issue and there was no ill intention behind filing the present petition. In the circumstances, the amount so deposited by the petitioner be refunded to him.

(P.R.BORA)
JUDGE

SPT