

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.450 OF 2018

Retd. ACP Shinde Sarjerao Mahadev	...	Petitioner
versus		
Collector of Stamps, Taluka Andheri		
and Ors.	...	Respondents

Mr. S.M.Shinde, Petitioner present in person.

Mr. A.L.Patki, Addl. Govt. Pleader, for Respondent Nos.1, 6 and 8.

**CORAM: AKIL KURESHI &
 S.J. KATHAWALLA, JJ.**

DATE: 10th JULY, 2019

P.C.:

1. The Petitioner is argued by the Petitioner in person. Apart from the leave given the Certificate of competency by the Registry, he also claims to be a lawyer. However, neither the drafting of the Petition, nor his submissions before us would justify allowing him to pursue his own case. We are however, not concerned with this aspect. Neither the Bench nor the Counsel for the Respondents was able to make any concrete sense out of his pleadings. His prayer clauses are as vague as it could be and reads thus :

“By this Hon’ble High Court Bombay Bench be pleased and to this Writ Petition issue the ‘Mandamus Order’ in the nature of ‘Writ’ and please dispose this Writ Petition for following ‘Order’.

(a) Be pleased and directing to said Respondents No.1 to 8 that to entire immovable property of the Petitioner i.e. to 'Ram-Niwas' inclusive place estimated 4' x 3' paid stamp duty on 25.11.2008 of Rs.21,500/- (Twenty One Thousand Five Hundred Only) at the office of the Collector of Stamps, Taluka Andheri. And therefore, to the Petitioner read the form in Collector of Stamps that already stamp duty is paid by the Petitioner before this Ago, and therefore, not necessary to pay stamp duty for inclusive place i.e. to 4' x 3'. and thereupon which given 'false' & 'frivolous' information against the Petitioner that 'not convinced' from the office of the Collector of Stamps is required 'set' 'aside' Under Article 100 of the Limitation Act, 1963 i.e. to Exhibit "I" 53-57.

and

(b) The Petitioner claims that Respondent No.7 which carries his occupation as 'cobbler' at the place of the Petitioner i.e. to 4' x 3' to said land the Petitioner is land owner. And therefore, the Petitioner prevents to said Respondent No.7's for his illegal business place i.e. 4' x 3'.

(c) Ad-interim relief to the Petitioner for disposal of this Writ Petition at the time of final hearing for interim relief (a) to (b) and "natural justice" to the Petitioner."

2. Through his oral submissions, we could some how gather that he owns a

land which is encroached by private Respondents. To evict them, he has already filed a Civil Suit which is not making the progress to his satisfaction.

3. It is always open for the Petitioner to pursue said Suit and impress upon the Court to grant hearing. However, in the present format, with prayers noted in this Petition, no relief can be granted. The Writ Petition is dismissed.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)