

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

52 WRIT PETITION NO. 2839 OF 2022

PANDIT SITARAM GUDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. U.R. Awate h/f
Talekar And Associates
AGP for Respondents: Mr. S.K. Tambe
Advocate for Respondent No. 4 : Mr. S.R. Sapkal

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**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 28th FEBRUARY, 2022

PER COURT :-

1. Mr. Awate, learned counsel for petitioner submits that petitioner has filed representation to respondent No. 2 requesting to cancel the Development Agreement executed by respondent No. 4 contrary to the permission dated 02-02-2019. The same is not yet decided by respondent No. 2 - the Collector, Ahmednagar.
2. Mr. Sapkal, learned counsel for respondent No. 4 submits that petitioner has filed civil suit bearing RCS No. 324 of 2021 before the Civil Judge, Senior Division, Rahata. In the said civil suit, the petitioner sought injunction and declaration that development agreement dated 23-02-2020 is not binding on the plaintiffs and their interests.
3. The Development Agreement in question is already subject matter of consideration before the Civil Court.
4. In view of that, we are not entertaining the writ petition qua development agreement nor issuing any direction as sought. It is for the petitioner to prosecute the suit and representation as may be permissible under law.
5. Writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE