

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5448 OF 2022

Baban @ Kisan S/o Patilba Kawad
& another

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr. A. G. Ambetkar, Advocate for the petitioners.
Mr. D. R. Kale, GP for respondents No. 1 and 7.

**CORAM : RAVINDRA V. GHUGE &
ANIL L. PANSARE, JJ.**

DATE : 16th JUNE, 2022.

PER COURT :

1. Leave to add Sub-Divisional Officer, Parner-Shrigonda Division, as respondent No. 7. Addition be carried out forthwith. The Learned AGP causes his appearance on behalf of the added respondent.

2. We have perused the prayers put forth by the petitioners and we have considered the submissions of the learned Advocate for the petitioners and the learned Chief Government Pleader.

3. We are of the view that the cause brought before us by the petitioners is squarely within the ambit of the jurisdiction of the Civil Court.

4. The learned Advocate for the petitioner submits that a representation/complaint dated 18th August, 2021, addressed to the Tahsildar Parner and the Sub-Divisional Officer Parner- Shrigonda be decided by respondent No. 7.

5. In view of the above, this petition is disposed off. We expect respondent No. 7 to deal with the complaint dated 18th August, 2021 by following the due procedure laid down in law and preferably within a period of three months from today. We further make it clear that any response of respondent No. 7 or his observations, comments or decision, if is adverse to the petitioners, the petitioners would have a remedy to approach the appropriate Civil Court, if permissible in law. A writ petition under Article 226 of the Constitution of India seeking issuance of writ of mandamus would not be entertained.

(ANIL L. PANSARE)
Judge

dyb

(RAVINDRA V. GHUGE)
Judge