

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5134 OF 2022

RAJESH PREMSING RATHOD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.B.B.Shinde, Advocate for the petitioner.
Mr.S.B.Yawalkar, AGP for State.

(CORAM : RAVINDRA V. GHUGE AND
ANIL L. PANSARE, JJ.)

DATE : JUNE 24, 2022

PER COURT :

1. Leave to correct the description of respondent No.3. Correction be carried out forthwith. Since an innocuous prayer has been put forth, we are not issuing notice to respondent No.3.

2. The petitioner has put forth prayer clause "C" as under :-

"C. To issue writ of mandamus or any other appropriate writ, order or direction in the like nature, the respondent No.3 may please be directed to decide the applications submitted by the petitioners' dated 08.04.2022 and 17.12.2021 and for that purpose issue necessary

direction.”

3. He submits that his property has not been taxed for 15 years and he wants proper tax to be levied. He has made a representation to respondent No.3 on 17.12.2021 and he submits that he is willing to pay the tax.

4. In view of the above, this petition is disposed off with a direction to respondent No.3 to consider the representation dated 17.12.2021 strictly in accordance with the Law applicable.

5. Respondent No.3 shall first assess as to whether there is a clear title to the property claimed by the petitioner and whether the said property can be officially levied with taxes. Based on such conclusions, he will pass an appropriate order, preferably on or before 30.09.2022.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)