

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

907 WRIT PETITION NO.8564 OF 2021

**MOHAMMAD ARIF ABDUL RASHEED
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Mr.S.U. Shaikh h/f Mr. Y.M. Khan, advocate for the petitioner.

Mr.P.K. Lakhotiya, A.G.P. for respondent no.1.

Mrs.Anjali Dube (Bajpai), advocate for respondent no.2.

...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 08.04.2022

P.C. :

1. On 5th April, 2022, we had passed the following order :-

“1. On 17/08/2021, the petitioner was directed to place on record the construction permission. The same was not complied with. On 12/10/2021, the learned Counsel for the petitioner remained absent. On 11/01/2022, the learned Counsel for the petitioner remained absent. On 25/01/2022 also, the learned Counsel for the petitioner remained absent.

2. Even today, the learned Counsel for the

petitioner is absent, inasmuch as, the order dated 17/08/2021, directing him to produce the construction permission, has still not been complied with.

3. List this petition on 08/04/2022, for passing dismissal orders.”

2. As this matter is listed today for dismissal, that the learned advocate for the petitioner, through a colleague causes an appearance. In so far as non-supplying of the copy of the construction permission is concerned, the learned advocate submits that he is unable to tender the same.

3. In view of the above, we are unable to entertain this petition, which contains disputed questions of facts. As such, this petition is disposed off.

4. Needless to state, if the petitioner desires to avail of a remedy as is permissible in law, he would be at liberty to do so.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)