

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8101 OF 2022

RAJESH CHOTELALJI BHAGAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Ms.PS.Talekar, Advocate for the petitioner.
Mr.S.G.Karlekar, AGP for the respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : AUGUST 5, 2022

PER COURT :

1. The petitioner has put forth prayer clause 'A' as under :-

*"A. To direct the respondent Nos. 2 and 3 to decide the representation dated 26.05.2022 and 14.06.2022 preferred by the petitioner expeditiously preferably within four weeks (**Exhibit "E" colly.**), by issuing a writ of mandamus or any other writ, order or direction, as the case may be."*

2. We have considered the submissions of the petitioner and the learned AGP on behalf of respondent Nos. 1 and 2. The issue is that the District Administration has intimated the petitioner as well as

respondent No.4 / APMC, Jalna that considering a pipeline which travels below the ground at the junction of the 2 plots, both would keep themselves 33 ft. away from the said area. The petitioner has maintained that distance. The grievance of the petitioner is that the APMC is erecting a structure, which may violate the diktat of district administration and the petitioner is likely to suffer.

3. We do not find that a writ petition on an apprehension or on speculation could be entertained. The petitioner has followed the guidelines of the district administration and the petitioner, therefore, need not worry about what is being done by the APMC.

4. In view of the above, we do not find any cause of action for which this petition can be entertained. This petition is, therefore, dismissed.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)