

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10867 OF 2019

VISHAL DATTATRAYA PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Vivekanand V. Ingale
AGP for Respondent Nos. 1,3 and 4: Mr. P.S. Patil.
Adv. For respondent No.2 : Mr. Pratap Mandlik

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CORAM : C.V. BHADANG &
SANDIPKUMAR C. MORE, JJ.

DATE : 13 JULY, 2022.

ORDER :-

By this petition, the petitioners are challenging the communication dated 14.3.2019 issued by the respondent Tahsildar in the capacity as the Manager of the Tuljabhavani temple at Tuljapur. By the impugned communication, the Tahsildar had stated that the application filed by the petitioners for inclusion of their names as legal heirs of the deceased Pujaris (Priests) is governed by the consent decree and, therefore, the Tahsildar has no authority to carry out such modification in the list of Pujaris (Priests) by substitution of the names of LR's of those Pujaris (Priests) who are dead/expired.

2. The learned counsel for the petitioners did not dispute that there is a consent decree governing the issue and therefore, the Tahsildar in the capacity of Manager of the Tuljabhavani temple do not possess such authority for inclusion of the names. We do not find any reason to interfere in exercise of jurisdiction under Article 226 of the Constitution of India. Thus, leaving it open for the petitioners to take recourse to the appropriate remedy as is permissible in law and as per the scheme applicable to the temple, the petition is disposed of with no order as to costs.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.

grt/-