

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9634 OF 2022

BALAJI SHIKSHAN PRASARAK MANDAL THROUGH ITS
PRESIDENT GANGADHAR NATHRAO MUNDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...
Advocate for the Petitioner : Shri Suryawanshi Kamlakar J.
AGP for the Respondents/State : Shri P.S. Patil

...
CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.

DATE :- 22nd September, 2022

Per Court :-

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

“B) *By issuing writ of mandamus, orders or directions in the like nature, the respondents be directed to pay rent amount of Rs.5,42,104/- per month for the period of 02.07.2020 to 21.10.2021, with interest @ of Rs.15% p.a. within stipulated period as per representation dated 31.03.2022 towards the acquisition of property of the petitioner for running Covid-19 Hospital.*”

2. Considering the nature of the prayer, we called upon
the learned AGP to take instructions.

3. Today, the learned AGP submits, on instructions,

that the District Collector, Aurangabad, would forward the case of the petitioner to the Assistant Director of Town Planning, Maharashtra State, on or before 07.10.2022. The Assistant Director of Town Planning will decide the quantum of rent, which is to be paid to the buildings/ hospitals/ dispensaries, which have been compulsorily requisitioned for the purpose of Covid-19 treatment during the pandemic.

4. The learned AGP submits that the Assistant Director of Town Planning would then forward his decision to the District Collector, Aurangabad, within one week and the District Collector would, thereafter, arrive at a decision, on or before 15.01.2023.

5. We would not go into this issue since the Assistant Director of Town Planning would be the competent authority to decide the quantum of rent. We would expect this authority to complete this exercise by 30.11.2022.

6. In view of the above, the learned advocate for the petitioner submits, on instructions, that the petitioner is satisfied.

7. As such, this Writ Petition is disposed off.