

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

WRIT PETITION NO. 9998 OF 2015

Sahebrao Narayan Soge

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Shri. Dhananjay Mane h/f Shri. N. R. Pawde, Advocate for the
petitioner

Shri. P. G. Borade, AGP for respondent/State

Shri. V. P. Sawant, Advocate for respondent no. 4

.....

AND
CIVIL APPLICATION NO. 13737 OF 2015
IN
WRIT PETITION NO. 9998 OF 2015

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : APRIL 4TH, 2022

PER COURT : -

1. There is an inherent lacuna in the petition in the sense, there is no averment that the Hon'ble Minister has no jurisdiction to pass an order under Section 35 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act. The petition is pending since 2015. In view of this inherent defect, equitable jurisdiction of this Court cannot be invoked. The petition stands dismissed.

2. The parties are at liberty to take recourse to the provisions of the relevant law before the appropriate authority.
3. Pending civil application stands disposed of.

[PRITHVIRAJ K. CHAVAN]
JUDGE