

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 10911 OF 2022

Ashok Gulab Sawant

... Petitioner

V/s.

The Tahsildar & Ors.

... Respondents

Mr. H. D. Chavan for the Petitioner

Mr. R.S. Pawar, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
SHARMILA U. DESHMUKH, JJ.***

DATE : 14 OCTOBER 2022

P.C. :-

The Petitioner has sought a writ of mandamus directing the Respondent No.1 – Tahsildar to decide the application dated 5 September 2022.

2. A mandamus such as a present one to decide an application is based on the premise that there is a failure of duty on the statutory authority as regard the time limit within which the application is to be decided. The failure can arise if there is an unreasonable delay. In the present case, the application is filed on 5 September 2022. The Writ Petition is filed within three days

thereafter on 8 September 2022. In these circumstances, we do not find any failure of public duty to issue a writ of mandamus. Filing of such Petitions is needlessly clogging up the already crowded docket of this Court.

3. This however does not mean that the application should not be decided at all but would be decided within a reasonable period. The Writ Petition is disposed of.

SHARMILA U. DESHMUKH, J.

NITIN JAMDAR, J.

JYOTI
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PAWAR

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