

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

39 WRIT PETITION NO.11652 OF 2023

**CHABURAO VITHHALRAO SANAP
VERSUS
STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. Potdar Eklavya Sandesh
AGP for Respondents/State : Mr. S.K. Tambe
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 20th September, 2023**

PC. :-

1. The Petitioner seeks issuance of a Writ of Mandamus for the purpose of carrying out recovery of arrears of rent payable to the Petitioner by Respondent Nos.2 to 5. Earlier, in similar set of circumstances a Writ Petition No.11168/2021 was filed by Smt. Hirabai @ Rahibai W/o Dyandeo Bargaje, wherein this Court observed in the order dated 07.10.2021 that, in fact, the Petitioner should seek recovery of rent by filing a civil suit. Subsequently, by order dated 23.06.2022, this Court disposed off the petition since the Petitioners sought leave to withdraw the petition.

2. The Petitioner has issued notices to various authorities asking for clearance of the arrears of rent amount.

3. The learned advocate submits that after the filing of this petition, a letter has been issued by the Regional Deputy Commissioner, Social Welfare addressed to the Commissioner, Social Welfare, Maharashtra State Pune on 22.08.2023 stating therein that an amount of Rs.15,29,478/- has been paid and an amount of Rs.31,66,962/- is in arrears on account of financial constraints. This calculation is up to April 2023. A copy of the said communication (3 pages) is taken on record and marked as 'X' for identification.

4. In view of the above, **this petition is disposed off** with the expectation that Respondent Nos.2 to 4 shall make the payment of admitted amounts within six months. In the event such amounts are not paid, the Petitioner will be at liberty to file a recovery suit.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]