

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.488 OF 2023

SUHAS JAGANATH LANGADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. Kishor D. Khade
AGP for Respondents: Mr. PK. Lakhotiya.

...

CORAM : MANGESH S. PATIL
& S.G. CHAPALGAONKAR, JJ.

DATE : 13 JANUARY 2023

ORDER :-

1. The petitioner is apparently espousing the cause of some stranger, who is not even made a party to this petition.
2. Learned advocate for the petitioner submits that since the petitioner was successful in obtaining the order of this court in his own case, considering the plight of that stranger, he has taken the lead in filing this petition.
3. He also cites the decision in the matter of "*Indian Banks' Association vs. M/s. Devkala Consultancy Service & others*" (Civil Appeal No. 4655 of 2000) to buttress his submission that the petitioner is taking up a cause of a stranger in the peculiar facts and circumstances and the question of locus should not prevent this Court from exercising powers under Article 226 of the Constitution of India.
4. Learned AGP strenuously opposes the petition on the ground

of locus.

5. True it is that in the matter of Indian Banks' Association, a Chartered Accountant had raked up the public cause. The objection on the ground of *locus standi* was refuted by the Supreme Court.

6. In the matter in hand, the petitioner is espousing the individual cause of a family, which is seeking allotment of a piece of land from the Gairan. Apart from the fact that, in allotment of such Gairan lands, a stern view is taken by the Supreme Court in the matter of ***Jagpal Singh and others vs. State of Punjab and others and (2011)11 SCC 396***, and even this Court in Suo-motu PIL No. 2 of 2022 at the Principal Seat, has expressly directed not to regularize the encroachments on Gairan Land, there is serious doubt about the entitlement of that family to claim allotment of a plot.

Besides, the language being used by the petitioner in correspondence dated 5.12.2022 is also offending. We do not express anything more.

6. The petitioner, by his communication dated 5.12.2022 was praying the respondents to take appropriate action on the stranger's request and has approached this Court on 7.12.2022.

7. All these circumstances discussed here-in-above clearly demonstrate that the petitioner is a busy-body. No writ as prayed for by him can be issued.

8. Writ petition is dismissed.

[S.G. CHAPALGAONKAR, J]

[MANGESH S. PATIL, J]

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