

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10123 OF 2023**

Ramchandra Shamrao Shinde & Ors

...Petitioners

Versus

The State of Maharashtra through the Principal
Secretary of Urban Development Department &
Ors

...Respondents

**Mr Abhijeet Kulkarni, i/b Ajinkya Sangitrao, for the Petitioner.
Ms Molina Thakur, AGP, for State.**

**CORAM G.S. Patel &
 Kamal Khata, JJ.
DATED: 23rd August 2023**

PC:-

1. The only prayer in the Petition is prayer clause (c) at page 11 which reads thus:

“c. The Hon’ble Court may be pleased to issue a Writ of Mandamus and/or any other appropriate writ/order/directions kindly be issued in the nature of Mandamus, thereby, the Respondent No.1 be kindly be directed to issue final notification forthwith indicating conversion of Tembhurni Grampanchayat into a Tembhurni Nagar-Panchayat in pursuance of draft Notification dated 3rd June 2022 within stipulated period.”

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2. We are quite unable to see how in exercise of our writ jurisdiction we could direct the State Government to take what is a purely executive administrative decision for better administration. There is of course no question of us directing that such a decision be taken in a particular manner, and perhaps realising this, the submission is that *some* decision should be ordered to be taken. Even that is not possible. It is entirely for a Government to decide whether or not it wishes to convert the Tembhurni Grampanchayat to a Nagar Panchayat or not, and if so, when, in what manner and on what terms.

3. We do not see how any person has a right to demand as an enforceable let alone a constitutional right, that this be decided by the Government and that to in a time bound manner.

4. The Petition is without substance. It is rejected. There will be no order as to costs.

(Kamal Khata, J)

(G. S. Patel, J)