



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

**934 WRIT PETITION NO. 1777 OF 2024**

Sheikh Javed Abdul Sattar

VERSUS

Maharashtra State Government Through The Collector

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Petitioner : Party In Person

AGP for Respondents : Mr. P.K. Lakhotiya

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**CORAM : RAVINDRA V. GHUGE AND  
S. G. CHAPALGAONKAR, JJ.**

**Dated : February 14, 2024**

**PER COURT :-**

1. The present Petitioner was a Petitioner in Writ Petition no.9269 of 2023, who had approached us on the pretext of seeking a simple direction to decide his appeal under section 308 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial townships Act, 1965. He sought an order to the District Collector and we passed an order on 1.8.2023. Thereafter, Writ Petition no.1512 of 2024 was filed by the stake holders, pointing out to us that the Petitioner had no locus and he keeps on filing such applications. In view of the same, we quashed the order of the District Collector and directed him to first assess whether he has any jurisdiction to deal with any

matters, after this Court passes any order that a representation or a pending application be decided.

2. This is yet another Petition filed, by the same Petitioner, in 2024, again seeking a direction to the District Collector to decide a 2013 appeal purportedly filed u/s 308 of the 1965 Act.

3. From the pleadings in the Petition, it is apparent that Petitioner has no locus to file this Writ Petition. He has not prayed for any relief in his cause or has no personal cause of action. The contention is that, there was a 'Zopadpatti' in the land, which is subject matter of a pending purported appeal under section 308 of the 1965 Act. The Municipal Council got the hutments/said 'Zopadpatti' removed. Forty persons were occupying the said Zopadpatti without any title. Two persons, namely, Abdul and Ayyub Rahim are anti social elements. They helped the Municipal Council in removing the Zopadpatti in the year 2012.

4. After perusing the appeal purportedly filed by the present Petitioner on 19.9.2013, we do not find any resolution passed by the Municipal Council, which could be referred to

the District Collector in accordance with Section 308 of the said Act.

5. It is obvious that, the Petitioner is using the process of law against purported anti-social elements namely Abdul and Ayyub Rahim, who have not been added as Respondents in this Petition.

6. Earlier also, the Petitioner had preferred such Petitions. The Petitioner has mentioned before the Collector that he is a Reporter associated with daily 'Vishwamitra' and the cause title in this Petition indicates that he is running a Small Scale Industry.

7. It is apparent that, the time of the Court is being wasted in such matters. As such, **this Petition is dismissed** by imposing costs of Rs.10,000/- (Rs. Ten Thousand), which the Petitioner shall deposit in this Court within a period of 30 days from today. If the amount is not deposited, the District Collector shall recover the said amount from the petitioner, as arrears of land revenue.

( S. G. CHAPALGAONKAR, J. ) ( RAVINDRA V. GHUGE, J. )

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aaa/-f