

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2642 OF 2024

Prameshwar Vishwanath Sonkamble

VERSUS

The State Of Maharashtra Through Secretary And Others

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Advocate for the Petitioner : Ms. Jamdhade Maya Ramrao

AGP for Respondent/State : Mr. K.B. Jadhavar

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CORAM : S.G. MEHARE, J.

DATED : MARCH 12, 2024

PER COURT:-

1. Heard learned counsel for the petitioner.
2. Issue notice to the respondents. Learned AGP waives service of notice for the State.
3. Considering the submissions of the learned counsel for the petitioner, it reveal that the land which has been acquired was owned by his grandmother. His grandmother had sold the land long back. However, the same land has been acquired and the government has granted a substantial compensation to respondents. Thereafter, the mouth of the petitioner started watering. Hence, he digged the litigation and reached upto the High Court. His intention does not appear bonafide. The hidden intention presenting the litigation is apparently otherwise.
4. Be that as it may, on the date of filing of the petition, the petitioner has no right, title or interest in the suit land. His

forefathers had transferred the land to respondent nos.3 and 4. Respondent no.3 acquired the title on consideration. Once the land is transferred, the transferee remains with no right to dispute the title unless there is no proper transfer. The petitioner has no case as such. He has simply a case that Section 29 of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act has been violated.

5. After hearing the facts and the submissions of the learned counsel for the petitioner, the Court is of the considered view that the petitioner had no cause of action to initiate the action against respondent nos.3 and 4. None of his rights was violated nor he had suffered any injury due to the acts of respondent nos.3 and 4. It is a malafide litigation and abuse of process of law. Such matters could not be entertained for the reason that it is nothing but spending time.

6. For the above reasons, the petition stands dismissed at the admission stage.

(S.G. MEHARE, J.)