



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3065 OF 2024

Prakash Alias Bhaiyalal Babulal
Ahire/Nand

VERSUS

The State Of Maharashtra Through Department
Of Revenue And Forest And Others

...

Mr. S. S. Kulkarni, Advocate for the Petitioner

Ms. Neha Kamble, AGP for Respondents

...

CORAM : RAVINDRA V. GHUGE &
R. M. JOSHI, JJ

DATE : MARCH 20, 2024

PER COURT :

1. The Petitioner has already before the Civil Court in Regular Civil Suit No. 27/2019. The learned Single Judge has protected the Petitioner by order dated 05.12.2023 in Writ Petition No. 14851/2023.

2. The grievance of the Petitioner is that the proceedings have been opened at the level of the Divisional Commissioner's Office without the matter going to the first available statutory authority. The Petitioner has, therefore, raised an objection with regard to the jurisdiction of the said authority. The objection application is pending adjudication with the

Office of the Divisional Commissioner since 01.03.2024. The Petitioner's apprehension is that his objection would be ignored and the proceedings would be concluded, on account of the clout of Respondent No. 5. He only prays that his objections may be considered by the Office of the Divisional Commissioner.

3. An innocuous prayer has been put-forth. Hence, we are not issuing notice to Respondent No. 5. **This Petition is disposed off** with a direction to Respondent No. 2 to consider the objection of the Petitioner. The Petitioner shall serve the copies of the objections to all the parties including Respondent No. 5. Respondent No. 2 would deal with the objections and pass a reasoned order as expeditiously as possible within a period of 60 days.

(R. M. JOSHI, J)
Malani

(RAVINDRA V. GHUGE, J)