



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10804 OF 2022

Arjun Bhimrao Mandve
VERSUS
The State Of Maharashtra Through
Its Secretary And Others

WITH
CIVIL APPLICATION NO. 4639 OF 2024
IN WP/10804/2022

Pundlik Alias Kundlik Malhari Kale
Through His Next Friend And Son Mukesh
VERSUS
The State Of Maharashtra Through
Its Secretary And Others

- Mr. V. D. Sapkal, Senior Advocate i/by Mr. S. R. Sapkal, Advocate for the Petitioner and for Respondent in Application
- Mr. K. S. Patil, AGP for the Respondent Nos. 1 to 4/State
- Mr. D. A. Mane, Advocate for Respondent No. 6
- Mr. H. V. Tungar, Advocate for Applicant

CORAM : KISHORE C. SANT, J
DATE : SEPTEMBER 04, 2024

PER COURT :

ORDER IN CIVIL APPLICATION NO.4639 OF 2024

1. The present Applicant claims to have interest in the property, a subject matter of Writ Petition. The dispute in the Writ Petition is under the Maharashtra

Restoration of Lands to Scheduled Tribes Act, 1974. He also challenged alleged relinquishment deed before the Civil Court and had sought cancellation of relinquishment deed dated 07.03.2013. As on today the relinquishment deed stands. Present Applicant will get right in the property only after the relinquishment deed no. 1926/2013 dated 07.03.2013 is cancelled. Till then the Applicant will have no right in the property involved in the present Petition. Petition necessarily arises out of the order passed by the learned SDO under Section 36 of the Maharashtra Land Revenue Code.

2. Considering this fact, this Court finds that no interest of the present Applicant is shown to have involved in this Petition. Neither it is shown that outcome of the Petition will affect the Applicant in any way. If at all relinquishment deed is cancelled, he will have a remedy against his brother who is Respondent no. 6. in the Writ Petition. Thus, application stands rejected. No order as to costs.

ORDER IN WRIT PETITION

3. Stand over to 15th October, 2024. Interim relief to continue. If time permits, matter may be taken for final disposal.

(KISHORE C. SANT, J.)