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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7602 OF 2023

SHASHIKANT APPASAHEB DESHMUKH ..PETITIONER

VS.

THE STATE OF MAHARASHTRA AND ORS. ..RESPONDENTS

Adv. Bhavana R. Khichi a/w Adv. Ashish S. Gaikwad a/w
Adv. Anjali Kolapkar for the petitioner.
Mr. A. A. Alaspurkar, AGP for the State.

**CORAM : M. S. KARNIK &
KAMAL KHATA, JJ.**

DATE : 7 MAY, 2024

P.C. :

1. Heard learned counsel for the petitioner and learned AGP for the State.

2. The petitioner is challenging a resolution of the year 1978 of the Gram Panchayat allotting the land City Survey No.292 admeasuring 320 sq.mtrs to the respondent No.5. It is the contention of learned counsel for the petitioner that the said allotment is illegal and contrary to the provisions of law. It is further submitted that the petitioner is a member of the Gram Panchayat and upon noticing the said illegality,

representations were made by the petitioner to the Block Development Officer and the Collector on 28th February 2022. It is submitted that the authorities are not taking any action.

3. This petition is filed by the petitioner in his capacity as a member of the Gram Panchayat. The allotment in favour of the respondent No.5 was made as far back in the year 1978. The petitioner has approached the Block Development Officer and the Collector for redressal of his grievance. We are not inclined to grant any relief to the petitioner in this writ petition. The petitioner may pursue the representations made by him before the Block Development Officer and the Collector or any other appropriate remedy. We find that there are several disputed questions of fact involved in the writ petition including that of delay and laches.

4. The writ petition is rejected. No costs.

(KAMAL KHATA, J.)

(M. S. KARNIK, J.)