



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

940 WRIT PETITION NO. 3968 OF 2025

Ramesh Arjun Muley

VERSUS

The State Of Maharashtra Thr. Housing Development Dept And Others

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Mr. N. R. Nawale, Advocate for the Petitioner

Mr. R. K. Ingole, AGP for Respondents State

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CORAM : MANISH PITALE &  
Y. G. KHOBRADE, JJ.

DATE : 7th August, 2025

P. C. :

1. Heard learned counsel for the petitioner.
2. Having considered the documents filed by the petitioner and the reliefs sought in the petition, we find that disputed questions of facts are involved. The petitioner claims that he was the allottee of tenement and that subsequently, the tenement has been allotted to third person i.e. Respondent No.5. It is claimed that the contesting respondent could not have taken steps as the petitioner has paid all the dues concerning the said tenement. It is also an admitted position that the tenement has already been recorded in the name of Respondent No.5. As to whether the claim of the petitioner regarding payments made in respect of the tenement are correct or not would be a question involving disputed questions of facts and therefore, we decline to entertain the writ petition under Article 226 of the Constitution of India.

3. Accordingly, the writ petition is dismissed. Needless to say, the petitioner is at liberty to avail of such remedies before the competent civil court, as may be available in law.

( Y. G. KHOBRADE, J. )

( MANISH PITALE, J. )

JPChavan