



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.59 OF 2017

Panditrao s/o Munjaji Chokhat
Age: 59 years, Occu.: Agri. And Social Work,
R/o. Rachana Colony, Manwat,
Tq. Manwat, Dist. Parbhani

.. Petitioner

Versus

1. The State of Maharashtra
Through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai.
2. The Secretary,
Urban Development Department,
Mantralaya, Mumbai-431 032.
3. The Divisional Commissioner,
Aurangabad Division, Aurangabad.
4. The Collector,
Parbhani, Tq. And Dist. Parbhani.
5. The Tahsildar,
Manwat, Tq. Manwat,
District Parbhani.
6. The Chief Officer,
Nagar Parishad, Manwat,
Tq. Manwat, District Parbhani.

.. Respondents

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Mr. R. J. Nirmal, Advocate for the petitioner.
Mr. A. M. Phule, AGP for the respondents/State.

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 10 NOVEMBER 2025

ORDER :

. Heard learned Advocate appearing for the petitioner.

2. The petitioner prays for direction to the respondent authorities to conduct an inquiry regarding illegally mutated names of some persons from Manwat City in ownership column in the Municipal Council Property Extract Register, since the said property is belonging to Khandeshwar Temple (Mahadev Temple).

3. The petitioner, who alleges to be an agriculturist and social worker, submits that certain persons have mutated their names in Municipal Council record in respect of property belonging to Khandeshwar Mahadev Temple in the year 1997. The petitioner had made many representations to Collector, Tahsildar and other authorities as well as Municipal Council, Manwat. His prayer has not been considered.

4. The learned Advocate for the petitioner has taken us through all the documents. He submits that the Municipal Council informed him that the entry of house property having Khandeshwar shop and Warehouse was deleted on 22.07.1997 in view of the partition deed and the affidavit of one Mr. Raviraj Radhakisan Chandak, however, they could not get the file which was 18 to 20 years old.

5. The first and the foremost fact that is required to be considered is that the present petition has been filed as Public Interest Litigation. The petitioner has not clarified as to whether the said Khandeshwar Mahadev Temple is a Trust. If it is a Trust, then certainly there would be availability of document regarding it as a Trust property with the appropriate authority. Another fact that is required to be noted is that the mutation has been carried out in the year 1997 and the present petition has been tried to be filed in 2017. There is absolutely no pleading as to when the petitioner got the knowledge about the mutation that was carried out. Thereafter, when he was informed by the Municipal Council by letter dated 15.05.2015 as to how the mutation was carried out, yet he has not made those persons as party respondents. There is no public interest involved in the matter and, therefore, the Public Interest Litigation stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm