

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12586 OF 2025

Musa Kamalsha Murshad	]	Petitioner
versus		
The State of Maharashtra and others	]	Respondents

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Mr. Mohammad S. Mulla, for Petitioner.

Mr. Siddheshwar B. Kalel, A.G.P, for Respondent – State.

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**CORAM : M.S. KARNIK &
AJIT B. KADETHANKAR, JJ.**

DATE : 12th DECEMBER, 2025.

P.C:

1. By this petition preferred under Article 226 of the Constitution of India, the petitioner is seeking a direction to the respondents to provide a space of 10x15 square feet for installing xerox machine and running the stall in the Collector Office premises at Solapur.

2. By the impugned order dated 18th October, 2024, Tehsildar has informed the petitioner that in terms of the Government Resolution dated 29th June, 1990, it is not possible to allot the open space as requested by the petitioner.

3. Inviting our attention to the Government Resolution dated 29th June, 1990, learned Counsel for the petitioner submitted that the said Government Resolution is applicable only to the buildings which fall under the Mumbai Municipal Corporation. Learned Counsel submitted that he is eligible for allotment of the open space. It is submitted that this Court had on 6th September, 2024 directed the petitioner to file afresh application to respondent No.2 and further directed Collector, Solapur to decide the said application within three months, in accordance with law.

4. In our view, the petitioner cannot claim the shop premises as a matter of right. No provision is brought to our notice which entitles the petitioner for allotment of the said shop in the Collector's office, in the manner, as claimed by the petitioner. No policy has been pointed out which permits the petitioner for allotment of the shop or claim entitlement. Therefore, we do not find any merit in this petition.

5. The petition is disposed of. It is open for the petitioner to pursue the application before the Revenue Commissioner/District Collector in accordance with the policy governing such allotment.

[AJIT B. KADETHANKAR, J.]

[M.S. KARNIK, J.]