

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5369 OF 2024

Shri Balaso Shivgonda Patil

... Petitioner

Versus

Additional Tahasildar

Tahasil Karyalay, Ichalkaranji

Dist. Kolhapur & Ors.

...Respondents

Mr. Padmanabh D. Pise for the Petitioner.

Mr. M.M. Pabale, A.G.P. for Respondent No.7-State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 19 MARCH 2025

P.C.:

1. This petition is filed under Article 226 of the Constitution of India praying for the following substantive relief :-

“(b) This Hon’ble High Court, Bombay, be pleased to issue writ of mandamus or writ of certiorari or any other appropriate writ, order or direction thereby directing the respondents nos.1 to 3 to hear and decide the representations dated 18 October 2021, 1 November 2021 and 5 January 2022 made by the petitioner to respondent nos.1 to 3, respectively, within time bound period.”

2. The petitioner is mainly aggrieved by the alleged misappropriation of large amounts that came to light pursuant to the audit report filed by the auditor appointed by the State Government in regard to the “Gram-Arogya Pani-Poshan And Swachata Samiti (Bharatnirman) Sayunkta Tardal-Khotwadi Scheme 2008” floated by the respondent-State. In this regard, the petitioner preferred representations dated 18 October 2021, 1 November 2021 and 5 January 2022 to respondent nos.1 to 3 to inquire into the petitioner’s grievances and take appropriate action in accordance with law. It is in such backdrop, present petition is filed.

3. We have heard Mr. Pise, learned counsel appearing for the petitioner and learned A.G.P. Mr. Pabale, appearing for respondent-State and with their assistance, perused the record.

4. Mr. Pabale, would oppose the petition, however, there is no written opposition and/or affidavit-in-reply filed on record.

5. We may observe that the representations of the petitioner dated 18 October 2021, 1 November 2021 and 5 January 2022, pending with respondent nos.1 to 3, are ought to be decided in accordance with law.

6. Considering the above, in our view, the following order would meet the ends of justice.

: ORDER :

- (i) Respondent Nos.1 to 3 would hear the petitioner on the representations dated 18 October

2021, 1 November 2021 and 5 January 2022 and after such hearing, pass a reasoned order in accordance with law, as expeditiously as possible, in any event, within four weeks from the date this order is made available to the said respondent nos.1 to 3 by the petitioner.

(ii) All rights and contentions of the parties are expressly kept open.

(iii) Writ petition is disposed of in the above terms.

(iv) No cost.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]