

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8347 OF 2024

Yogesh Prajapati

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Digitally signed
 by PALLAVI
 MAHENDRA
 WARGAONKAR
 Date:
 2025.05.06
 14:00:03
 +0530

Mr. Parth Rajput i/b. Talekar & Associates, for the Petitioner.

Mr. A.I. Patel, Addl. G.P. a/w Mr. R.S. Pawar, AGP for the Respondent – State.

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

DATE : 28 APRIL 2025

P.C.:

1. This petition is filed under Article 226 of the Constitution of India
 prays for the only substantive relief which reads thus :-

“B. To direct the respondent No.6 to decide the complaint dated 09.05.2023 preferred by the petitioner, as per the Government Resolution dated 30 July 2010 (Exhibit-“H”) pending hearing and final disposal of the writ petition.”

2. The petitioner is primarily aggrieved by the inaction on the part of the respondent – authorities mainly respondent no.6 i.e. Tahsildar, Kalyan in not deciding the pending complaint of the petitioner dated 9 May 2023 (Exh. L to the petition). Such complaint stems from the petitioner’s grievance in calling upon the said respondents to conduct an inquiry in respect of the allegations of illegal sale and transfer of the land belonging to Shri Ram Temple located at Kalyan, Dist. Thane, to respondent nos.10

and 11. It is to inquire into such allegations of irregularities and illegalities that the petitioner is stated to have filed such complaint. The petitioner would rely on Government Resolution dated 30 July 2010 in support of his complaint.

3. We may observe that the complaint of the petitioner dated 9 May 2023 is pending with the Tahsildar, Kalyan for inquiring into alleged illegalities in respect of the affairs of the said Shri Ram Temple located at Thane. The anxiety of the petitioner is that such complaint needs to be taken to its logical conclusion and the same therefore, ought to be looked into and decided in an expeditious manner and as the law would mandate.

4. In our view, considering the limited relief that the petitioner seeks in the petition and although there being no written opposition/reply of the respondents, considering the nature of the orders we propose to pass, no prejudice would be caused to the respondents. The following order would serve the ends of justice:-

ORDER

- (i) We direct respondent no.6, i.e., Tahsildar, Kalyan to consider and decide the pending complaint of the petitioner dated 9 May 2023 in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date this order is made available to the said respondent by the petitioner. Let all the parties be heard.

- (ii) All rights and contentions of the parties are expressly kept open.
- (iii) Writ petition is disposed of in the above terms. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]