

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13832 OF 2024

Anwar Liyakat Khan

...Petitioner

V/s.

The Addl. Tehsildar and Ors.

...Respondents

Mr. Ravi Kadam *for the Petitioner.*

Mr. Kedar Dighe, *Addl. GP with Ms. Snehal S. Jadhav, AGP for Respondent-State.*

Ms. Sanjukta Dey *with Ms. Rhea Rajesh, Mr. Yash Dinde i/b. M/s. Yende Legal Associates for Respondent.*

CORAM: SANDEEP V. MARNE, J.

Dated: 6 March 2025.

P.C.:

1) Petition appears to be completely mischievous for multiple reasons. Petition is filed seeking following prayers:-

- a] That this Hon'ble Court be pleased to issue writ of mandamus or any other writ in the nature of Mandamus or any other writ, order and direction to the Respondent No.1 to consider and/or adjudicate the Petitioner's Application to allow him to appear and make their submissions in the Tenancy Application, being Case No.KUKA/32G/S.R./2023 Inquiry Date 8th August 2023, filed by the Respondent No.2 to 12 under sec. 32G of the MTAL Act, before deciding the aforesaid tenancy case in the interest of justice;

MEGHA
SHREEDHAR
PARAB

Digitally signed by
MEGHA SHREEDHAR
PARAB
Date: 2025.03.10
14:58:34 +0530

- b] That this Hon'ble Court be pleased to grant temporary injunctions against the Respondents No.2 to 12, thereby carrying out any sort of construction activities and also allowing the hoarding agencies to put up hoardings on the said disputed land with the intention to profiteer themselves until the said tenancy is adjudicated by the Respondent No.1;
 - c] That, in the alternatives, this Hon'ble Court be pleased to direct the Respondent No.2 to 12 to deposit the money earned from the said disputed land by putting up hoarding on the said plot land to the department of this Hon'ble Court, so Petitioner's right can be protected;
 - d] That the cost of present petition be provided for;
 - e] Such other and further reliefs be granted as the Court may deem fit and necessary under the facts and circumstances of the case in the interest of justice;
- 2) It appears that Petitioner has filed an application for intervention in Case No.32G/SR/2/2023 (Ramchandra Fakira Khavle and Others V/s. Shahrukh Kai Khusroo Irani and Ors.), whereas he actually intended to intervene in case No.32G/SR/3/2023.
- 3) It appears that Case No.32G/SR/3/2023 has already been decided by Tahsildar on 29 April 2024 upholding the tenancy claim and fixing purchase price under the provisions of Section 32G of the Maharashtra Tenancy and Agricultural Lands Act, 1948. The affected party apparently filed Tenancy Appeal No.472 of 2024, which came to be dismissed by Sub Divisional Officer, Haveli, Pune, by order dated 16 December 2024.

4) Considering the inherent defect in the application filed by the Petitioner, so also the subsequent events, the Petition cannot be entertained and the same is accordingly dismissed. Petitioner would however, be at liberty to adopt appropriate legal proceedings in respect of his alleged claim in the land in question. No opinion is expressed about maintainability of such proceedings.

[SANDEEP V. MARNE, J.]