

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3910 OF 2025

Sunil Bhimrao Kale & Ors. ... Petitioners

versus

The State of Maharashtra & Ors. ... Respondents

Mr.Amol B. Chalak with Mr.Ratan L. Adhe for the Petitioners.

Ms.P.N.Diwan, AGP for Respondent Nos. 1 to 3, State.

Mr.S.S.Koregave with Mr.Ashok Misal for the Respondent- Solapur
Zilla Parishad.

Mr.Pankaj Deokar for the Respondent – Pune Zilla Parishad.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 24TH MARCH, 2025

P.C. :-

1. We are not considering prayer clause (a) at this stage since the learned Advocate for the Petitioners submits that the representations/ objections dated 20th February, 2025 and 21st February, 2025 are pending with the Respondents/ Zilla Parishads.

2. In view of the above, the learned Advocate for the Petitioners submits that the Zilla Parishads may be directed to decide the representations/objections, quickly.

3. This Petition has been filed on 23rd February, 2025.

4. It goes without saying that when this Court issues a Writ of Mandamus to a statutory authority to decide a particular pending proceeding/application/representation, such pending proceeding/application/representation has to be filed under a particular statute. This Court then has to come to a conclusion that the statutory authority is refusing to exercise jurisdiction duly vested in it by law. Only after such impression is gathered by this Court on the basis of the record, that a Writ of Mandamus can be issued.

5. We are not inclined to issue a Writ of Mandamus in the present matter keeping in view that the representations/ objections are filed on 20th February, 2025 and 21st February, 2025 and this Petition is filed within 48 hours on 23rd February, 2025.

6. Moreover, whether the Respondents/ Zilla Parishads are obliged to deal with the said representations/ objections, is a different issue.

7. The learned Advocate appearing on behalf of Solapur Zilla Parishad submits that the representations/ objections would be

considered, provided there is any legal provision or any Government Resolution, that could be applicable. It is brought to our notice that the Zilla Parishads themselves have called for objections.

8. It is in the light of the above statement, that **this Writ Petition is disposed off** with the observation that Solapur, Pune and Nashik Zilla Parishads may consider the representations/ objections strictly in accordance with the Rules/ Policies/ Government Resolutions applicable to the Petitioners, within a period of two weeks from today in terms of the Circular dated 7th November, 2024, keeping in view that the Zilla Parishads themselves have called for objections.

9. We make it clear that we have not expressed any view about the merits of the claims of the Petitioners.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)