



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15159 OF 2025

Abdul Rashid Gulam Saheb Momin

... Petitioner

Versus

State of Maharashtra & Ors.

... Respondents

Dr. Ramdas Sabban a/w. Mr. Shrikant Kompelli and Mr. Pravin Sabban for the petitioner.

Mr. B.V. Samant, Addl. GP a/w. Ms. M.S. Bane, AGP for the State/respondent nos. 1 and 2.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 10 November 2025

P.C.

1. This petition is filed praying for the following reliefs:

"a) This Hon'ble Court be pleased to issue an appropriate Writ of certiorari or any other appropriate writ, order or direction thereby direct the Ld. C.J.S.D. Baramati to frame the preliminary issues raised in para 2 of the Written Statement filed in the pending R.C.S. No. 293/2023 as to (a) limitation period from the year 1975 revenue entries, (b) as to whether the Ld. Civil Court has any jurisdiction to decide the Civil Suits involving the land acquisition compensation proceedings, in the light of said judgments passed in **Brijesh Reddy – 2013-3-SCC-66** (paras-14 to 18)-H.N. Jagannath 2018-11-SCC-104 (paras-17 & 18)

b) This Hon'ble Court be pleased to issue a Writ of Certiorari or any other appropriate Writ, direction or order thereby pending R.C.S. no. 293/2023 to direct the Ld. C.J.S.D. Baramati to decide and dispose of the said, within a particular time limit;

c) This Hon'ble High Court may be pleased to issue a Writ of Certiorari or any other appropriate Writ, direction or order thereby directing the said Ld. Civil Court to impose on the said plaintiffs the 12% p.a. interest/penalty on the said NH land acquisition compensation amounts withheld for the period during which the amount is not distributed on account of said false/untenable R.C.S. proceedings taken out by the said plaintiffs by abusing the process of law;

d) This Hon'ble High Court may be pleased to issue a Writ of Certiorari or any other appropriate Writ, direction or order thereby to hold and declare that the R.C.S. No. 293/2023 filed by the plaintiffs/respondent no. 4 to 10 filed for payment of land acquisition compensation, pending before the Id.C.J.S.D., Baramati is not maintainable, null & void as per the said Hon'ble Supreme Court Judgment in Brijesh Reddy & Jagannath's case."

2. Considering the nature of the prayers, we are not inclined to grant any relief to the petitioner, as the petitioner needs to approach the appropriate Civil Court and request the learned trial Judge to take up the application(s), which is made by the petitioner in the proceedings in question. If such an application is made, considering the fact that the petitioner is a senior citizen age 80 years, the learned Civil Judge shall take up such application(s) and decide the same expeditiously. All contentions of the parties are expressly kept open.

3. Disposed of. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)